

AN ACT

relating to the consolidation, allocation, classification, and repeal of certain criminal court costs and other court-related costs, fines, and fees; imposing certain court costs and fees and increasing and decreasing the amounts of certain other court costs and fees.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

ARTICLE 1. CONSOLIDATED COURT COSTS

SECTION 1.01. Section 133.001, Local Government Code, is amended to read as follows:

Sec. 133.001. PURPOSE. The purpose of this chapter is to consolidate and standardize:

(1) collection of fees payable to the comptroller in criminal and civil matters by:

(A) an officer of a court for deposit in a county or municipal treasury; or

(B) an officer of a county or municipality for deposit in the county or municipal treasury, as appropriate;

(2) remittance of those fees to the comptroller as required by this chapter and other law; and

(3) distribution of those fees by the comptroller to the proper accounts and funds in the state treasury.

SECTION 1.02. Section 133.003, Local Government Code, is amended to read as follows:

1           Sec. 133.003. CRIMINAL FEES. This chapter applies to the  
2 following criminal fees:

3           (1) the consolidated fee imposed under Section  
4 [133.102](#);

5           (2) ~~[the time payment fee imposed under Section~~  
6 ~~[133.103](#),~~

7 ~~[~~(3)~~] fees for services of peace officers employed by~~  
8 the state imposed under Article [102.011](#), Code of Criminal  
9 Procedure, and forwarded to the comptroller as provided by Section  
10 [133.104](#) of this code; and

11           (3) ~~[~~(4)~~ costs on conviction imposed in certain~~  
12 ~~statutory county courts under Section [51.702](#), Government Code, and~~  
13 ~~deposited in the judicial fund,~~

14           ~~[~~(5)~~ costs on conviction imposed in certain county~~  
15 ~~courts under Section [51.703](#), Government Code, and deposited in the~~  
16 ~~judicial fund,~~

17           ~~[~~(6)~~ the administrative fee for failure to appear or~~  
18 ~~failure to pay or satisfy a judgment imposed under Section [706.006](#),~~  
19 ~~Transportation Code,~~

20           ~~[~~(7)~~] fines on conviction imposed under Section~~  
21 ~~[621.506](#)(g), Transportation Code[,~~

22           ~~[~~(8)~~ the fee imposed under Article [102.0045](#), Code of~~  
23 ~~Criminal Procedure,~~

24           ~~[~~(9)~~ the cost on conviction imposed under Section~~  
25 ~~[133.105](#) and deposited in the judicial fund, and~~

26           ~~[~~(10)~~ the cost on conviction imposed under Section~~  
27 ~~[133.107](#)].~~

SECTION 1.03. Sections 133.102(a), (c), (d), (e), and (f), Local Government Code, are amended to read as follows:

(a) A person convicted of an offense shall pay as a court cost, in addition to all other costs:

(1) \$185 [~~\$133~~] on conviction of a felony;

(2) \$147 [~~\$83~~] on conviction of a Class A or Class B misdemeanor; or

(3) \$62 [~~\$40~~] on conviction of a nonjailable misdemeanor offense, including a criminal violation of a municipal ordinance, other than a conviction of an offense relating to a pedestrian or the parking of a motor vehicle.

(c) The money collected under this section as court costs imposed on offenses committed on or after January 1, 2020 [~~2004~~], shall be allocated according to the percentages provided in Subsection (e).

(d) The money collected as court costs imposed on offenses committed before January 1, 2004, shall be distributed using historical data so that each account or fund receives the same amount of money the account or fund would have received if the court costs for the accounts and funds had been collected and reported separately. The money collected as court costs imposed on offenses committed on or after January 1, 2004, but before January 1, 2020, shall be allocated according to the percentages provided in Subsection (e), as that subsection existed and was applied on December 31, 2019.

(e) The comptroller shall allocate the court costs received under this section to the following accounts and funds so that each

receives to the extent practicable, utilizing historical data as applicable, the same amount of money the account or fund would have received if the court costs for the accounts and funds had been collected and reported separately, except that the account or fund may not receive less than the following percentages:

- (1) crime stoppers assistance account 0.2427  
~~[0.2581]~~ percent;
- (2) breath alcohol testing account 0.3900  
~~[0.5507]~~ percent;
- (3) Bill Blackwood Law Enforcement Management Institute account 1.4741 ~~[2.1683]~~ percent;
- (4) Texas Commission on Law Enforcement  
account 3.4418  
~~[law enforcement officers standards and education 5.0034]~~ percent;
- (5) law enforcement and custodial officer supplement  
~~[supplemental]~~ retirement trust fund 7.2674  
~~[11.1426]~~ percent;
- (6) criminal justice planning account 8.5748  
~~[12.5537]~~ percent;
- (7) an account in the state treasury to be used only for the establishment and operation of the Center for the Study and Prevention of Juvenile Crime and Delinquency at Prairie View A&M University 0.8540 ~~[1.2090]~~ percent;
- (8) compensation to victims of crime account 24.6704  
~~[fund 37.6338]~~ percent;
- (9) emergency radio infrastructure account 3.6913  
~~[5.5904]~~ percent;

- (10) judicial and court personnel training  
account 3.3224 [~~fund 4.8362~~] percent;
- (11) an account in the state treasury to be used for  
the establishment and operation of the Correctional Management  
Institute of Texas and Criminal Justice Center Account 0.8522  
[~~1.2090~~] percent; ~~and~~
- (12) fair defense account 17.8857 [~~17.8448~~] percent;
- (13) judicial fund 12.2667 percent;
- (14) DNA testing account 0.1394 percent;
- (15) specialty court account 1.0377 percent;
- (16) statewide electronic filing system  
account 0.5485 percent;
- (17) jury service fund 6.4090 percent;
- (18) truancy prevention and diversion account 2.5956  
percent; and
- (19) transportation administrative fee account 4.3363  
percent.

(f) Of each dollar credited to the Texas Commission on Law  
Enforcement [~~law enforcement officers standards and education~~]  
account under Subsection (e)(4) [~~(e)(5)~~]:

- (1) 33.3 cents may be used only to pay administrative  
expenses; and
- (2) the remainder may be used only to pay expenses  
related to continuing education for persons licensed under Chapter  
1701, Occupations Code.

SECTION 1.04. Chapter 133, Local Government Code, is  
amended by adding Subchapter C-1 to read as follows:

1        SUBCHAPTER C-1. ALLOCATION AND USE OF CERTAIN CRIMINAL FEES

2        Sec. 133.121. ALLOCATION OF FEES TO SPECIALTY COURT  
3 ACCOUNT. (a) The specialty court account is an account in the  
4 general revenue fund. The account consists of money allocated to  
5 the account under Section 133.102(e). Money in the account may be  
6 used only to fund specialty court programs established under  
7 Subtitle K, Title 2, Government Code.

8        (b) The legislature may appropriate money from the  
9 specialty court account only to the criminal justice division of  
10 the governor's office for distribution to specialty court programs  
11 that apply for the money.

12        Sec. 133.122. ALLOCATION OF FEES TO JURY SERVICE FUND.

13 (a) The jury service fund is created in the state treasury. The  
14 fund consists of money allocated to the fund under Section  
15 133.102(e). Money in the fund may be appropriated only to provide  
16 juror reimbursements to counties.

17        (b) If, at any time, the unexpended balance of the jury  
18 service fund exceeds \$10 million, the comptroller shall transfer  
19 the amount in excess of \$10 million to the fair defense account.

20        Sec. 133.123. ALLOCATION OF FEES TO DNA TESTING ACCOUNT.

21 The DNA testing account is an account in the general revenue fund.  
22 The account consists of money allocated to the account under  
23 Section 133.102(e). Money in the account may be appropriated only  
24 to the Department of Public Safety to help defray the cost of  
25 collecting or analyzing DNA samples provided by defendants who are  
26 required to pay a court cost under Section 133.102.

27        Sec. 133.124. ALLOCATION OF FEES TO TRANSPORTATION

ADMINISTRATIVE FEE ACCOUNT. The transportation administrative fee account is an account in the general revenue fund. The account consists of money allocated to the account under Section 133.102(e). Money in the account may be appropriated only to the Department of Public Safety to defray the administrative costs associated with implementing Chapter 706, Transportation Code.

SECTION 1.05. Subtitle C, Title 4, Local Government Code, is amended by adding Chapter 134 to read as follows:

CHAPTER 134. CRIMINAL FEES PAYABLE TO LOCAL GOVERNMENT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 134.001. PURPOSE. The purpose of this chapter is to consolidate and standardize collection of fees payable to a local government in criminal matters by:

(1) an officer of a court for deposit in a county or municipal treasury; or

(2) an officer of a county or municipality for deposit in the county or municipal treasury, as appropriate.

Sec. 134.002. DEFINITIONS. (a) In this chapter:

(1) "Fee" means a criminal fee listed under Section 134.003.

(2) "Treasurer" means the custodian of money in a municipal or county treasury, as appropriate.

(b) In this chapter, a person is considered to have been convicted in a case if:

(1) a judgment, a sentence, or both a judgment and a sentence are imposed on the person;

(2) the person receives community supervision,

1 deferred adjudication, or deferred disposition; or

2 (3) the court defers final disposition of the case or  
3 imposition of the judgment and sentence.

4 Sec. 134.003. CRIMINAL FEES. This chapter applies to the  
5 criminal fees imposed under Sections 134.101, 134.102, and 134.103.

6 SUBCHAPTER B. COLLECTION AND REMITTANCE OF LOCAL CRIMINAL FEES

7 Sec. 134.051. COLLECTION, REMITTANCE, AND DEPOSIT OF FEES.

8 (a) A court clerk shall collect and remit to the county or  
9 municipal treasurer, as applicable, all fees in the manner provided  
10 by this section.

11 (b) An officer collecting a fee in a case in municipal court  
12 shall remit the money to the municipal treasurer for deposit in the  
13 municipal treasury.

14 (c) An officer collecting a fee in a justice, county, or  
15 district court shall remit the money to the county treasurer for  
16 deposit in the county treasury.

17 (d) A court clerk collecting a fee shall remit the money to  
18 the municipal or county treasurer, as applicable, for deposit in  
19 the municipal or county treasury, as appropriate.

20 Sec. 134.052. ALLOCATION OF DEPOSITED FEES. (a) Money  
21 collected under Subchapter C as court costs imposed on offenses  
22 committed on or after January 1, 2020, shall be allocated according  
23 to the percentages provided by Sections 134.101, 134.102, and  
24 134.103, as applicable.

25 (b) Money collected under Subchapter C as court costs  
26 imposed on offenses committed before January 1, 2020, shall be  
27 distributed using historical data so that each account or fund



receives the same amount of money the account or fund would have received if the court costs for the accounts and funds had been collected and reported separately.

SUBCHAPTER C. LOCAL CRIMINAL FEES

Sec. 134.101. LOCAL CONSOLIDATED FEE ON CONVICTION OF FELONY. (a) A person convicted of a felony shall pay \$105 as a court cost, in addition to all other costs, on conviction.

(b) The treasurer shall allocate the court costs received under this section to the following accounts and funds so that each receives to the extent practicable, utilizing historical data as applicable, the same amount of money the account or fund would have received if the court costs for the accounts and funds had been collected and reported separately, except that the account or fund may not receive less than the following percentages:

- (1) the clerk of the court account 38.0953 percent;
- (2) the county records management and preservation fund 23.8095 percent;
- (3) the county jury fund 0.9524 percent;
- (4) the courthouse security fund 9.5238 percent;
- (5) the county and district court technology fund 3.8095 percent; and
- (6) the county specialty court account 23.8095 percent.

Sec. 134.102. LOCAL CONSOLIDATED FEE ON CONVICTION OF CLASS A OR B MISDEMEANOR. (a) A person convicted of a Class A or Class B misdemeanor shall pay \$123 as a court cost, in addition to all other costs, on conviction.

(b) The treasurer shall allocate the court costs received under this section to the following accounts and funds so that each receives to the extent practicable, utilizing historical data as applicable, the same amount of money the account or fund would have received if the court costs for the accounts and funds had been collected and reported separately, except that the account or fund may not receive less than the following percentages:

- |  |                         |
|--|-------------------------|
| <u>(1) the clerk of the court account</u>                      | <u>32.5203 percent;</u> |
| <u>(2) the county records management and preservation fund</u> | <u>20.3252 percent;</u> |
| <u>(3) the account for prosecutor's fees</u>                   | <u>16.2602 percent;</u> |
| <u>(4) the county jury fund</u>                                | <u>0.8130 percent;</u>  |
| <u>(5) the courthouse security fund</u>                        | <u>8.1301 percent;</u>  |
| <u>(6) the county and district court technology fund</u>       | <u>3.2520 percent;</u>  |
| <u>(7) the court reporter service fund</u>                     | <u>2.4390 percent;</u>  |
| <u>and</u>   |                         |
| <u>(8) the county specialty court account</u>                  | <u>16.2602 percent.</u> |

Sec. 134.103. LOCAL CONSOLIDATED FEE ON CONVICTION OF NONJAILABLE MISDEMEANOR. (a) A person convicted of a nonjailable misdemeanor offense, including a criminal violation of a municipal ordinance, shall pay \$14 as a court cost, in addition to all other costs, on conviction.

(b) The treasurer shall allocate the court costs received under this section to the following accounts and funds so that each

receives to the extent practicable, utilizing historical data as applicable, the same amount of money the account or fund would have received if the court costs for the accounts and funds had been collected and reported separately, except that the account or fund may not receive less than the following percentages:

(1) the courthouse security fund or municipal court building security fund, as appropriate 35 percent;

(2) the local truancy prevention and diversion fund 35.7143 percent;

(3) the justice court technology fund or municipal court technology fund, as appropriate 28.5714 percent; and

(4) the county or municipal jury fund, as appropriate 0.7143 percent.

SUBCHAPTER D. ALLOCATION AND USE OF CERTAIN CRIMINAL FEES

Sec. 134.151. MAINTENANCE OF FUNDS AND ACCOUNTS. (a) A county or municipal treasurer, as applicable, shall maintain in the county or municipal treasury a fund or account to which money is allocated under Section 134.101, 134.102, or 134.103, to the extent that the fund or account is not required by other law. Money in an account maintained under this section may be used only for the purposes provided by this subchapter.

(b) An account or fund maintained under this section in a county treasury may be administered by or at the direction of the county commissioners court.

Sec. 134.152. CLERK OF THE COURT ACCOUNT. Money allocated under Section 134.101 or 134.102 to the clerk of the court account maintained in the county treasury as required by Section 134.151

1 may be used by a county only to defray costs of services provided by  
2 a county or district clerk.

3 Sec. 134.153. COUNTY SPECIALTY COURT ACCOUNT. Money  
4 allocated under Section 134.101 or 134.102 to the county specialty  
5 court account maintained in the county treasury as required by  
6 Section 134.151 may be used by a county only to fund specialty court  
7 programs established under Subtitle K, Title 2, Government Code.

8 Sec. 134.154. COUNTY OR MUNICIPAL JURY FUND. Money  
9 allocated under Section 134.101, 134.102, or 134.103 to the county  
10 or municipal jury fund maintained in the county or municipal  
11 treasury, as applicable, and as required by Section 134.151 may be  
12 used by a county or municipality only to fund juror reimbursements  
13 and otherwise finance jury services.

14 Sec. 134.155. COUNTY RECORDS MANAGEMENT AND PRESERVATION  
15 FUND. Money allocated under Section 134.101 or 134.102 to the  
16 county records management and preservation fund maintained in the  
17 county treasury as required by Section 134.151 may be used by a  
18 county only to fund records management and preservation services  
19 performed by the court clerk.

20 Sec. 134.156. LOCAL TRUANCY PREVENTION AND DIVERSION FUND.  
21 (a) Money allocated under Section 134.103 to the local truancy  
22 prevention and diversion fund maintained in the county or municipal  
23 treasury as required by Section 134.151 may be used by a county or  
24 municipality to finance the salary, benefits, training, travel  
25 expenses, office supplies, and other necessary expenses relating to  
26 the position of a juvenile case manager employed under Article  
27 45.056, Code of Criminal Procedure. If there is money in the fund

after those costs are paid, subject to the direction of the governing body of the county or municipality and on approval by the employing court, a juvenile case manager may direct the remaining money to be used to implement programs directly related to the duties of the juvenile case manager, including juvenile alcohol and substance abuse programs, educational and leadership programs, and any other projects designed to prevent or reduce the number of juvenile referrals to the court.

(b) Money in the fund may not be used to supplement the income of an employee whose primary role is not that of a juvenile case manager.

Sec. 134.157. ACCOUNT FOR PROSECUTOR'S FEES. Money allocated under Section 134.102 to the account for prosecutor's fees maintained in the county treasury as required by Section 134.151 may be used by a county only to defray the costs of services provided by a prosecutor.

SECTION 1.06. Article [102.015](#), Code of Criminal Procedure, is transferred to Subchapter C-1, Chapter [133](#), Local Government Code, as added by this article, redesignated as Section 133.125, and amended to read as follows:

Sec. 133.125 [Art. 102.015]. ALLOCATION OF FEES TO [COURT COSTS-] TRUANCY PREVENTION AND DIVERSION ACCOUNT [FUND]. (a) The truancy prevention and diversion account [fund] is a dedicated account in the general revenue fund. The account consists of money allocated to the account under Section [133.102](#)(e).

(b) [A person convicted in municipal or justice court of an offense, other than an offense relating to a pedestrian or the

~~parking of a motor vehicle, shall pay as a court cost \$2 in addition to other court costs.~~

~~[(c) For purposes of this article, a person is considered to have been convicted if:~~

~~[(1) a sentence is imposed, or~~

~~[(2) the defendant receives deferred disposition in the case.~~

~~[(d) Court costs under this article are collected in the same manner as other fines or costs. An officer collecting the costs shall keep separate records of the funds collected as costs under this article and shall deposit the funds in the county treasury or municipal treasury, as applicable.~~

~~[(e) The custodian of a county treasury or municipal treasury, as applicable, shall:~~

~~[(1) keep records of the amount of funds on deposit collected under this article, and~~

~~[(2) send to the comptroller before the last day of the first month following each calendar quarter the funds collected under this article during the preceding quarter, except that the custodian may retain 50 percent of funds collected under this article for the purpose of operating or establishing a juvenile case manager program, if the county or municipality has established or is attempting to establish a juvenile case manager program.~~

~~[(f) If no funds due as costs under this article are deposited in a county treasury or municipal treasury in a calendar quarter, the custodian of the treasury shall file the report required for the quarter in the regular manner and must state that~~

~~no funds were collected.~~

~~[(g) The comptroller shall deposit the funds received under this article to the credit of a dedicated account in the general revenue fund to be known as the truancy prevention and diversion fund.]~~ The legislature may appropriate money from the truancy prevention and diversion account only to the criminal justice division of the governor's office for distribution to local governmental entities for truancy prevention and intervention services.

(c) ~~[(h)]~~ A local governmental entity may request funds from the criminal justice division of the governor's office for providing truancy prevention and intervention services. The division may award the requested funds based on the availability of appropriated funds and subject to the application procedure and eligibility requirements specified by division rule.

~~[(i) Funds collected under this article are subject to audit by the comptroller.]~~

SECTION 1.07. Article [102.0169](#), Code of Criminal Procedure, is amended to read as follows:

Art. 102.0169. ~~[COURT COSTS,]~~ COUNTY AND DISTRICT COURT TECHNOLOGY FUND. (a) ~~[A defendant convicted of a criminal offense in a county court, statutory county court, or district court shall pay a \$4 county and district court technology fee as a cost of court.]~~

~~[(b) In this article, a person is considered convicted if:~~

~~[(1) a sentence is imposed on the person,~~

~~[(2) the person receives community supervision,~~

1 ~~including deferred adjudication; or~~

2 ~~[(3) the court defers final disposition of the~~  
3 ~~person's case.]~~

4 ~~[(c)] The [clerks of the courts described by Subsection (a)~~  
5 ~~shall collect the costs and pay them to the county treasurer or to~~  
6 ~~any other official who discharges the duties commonly delegated to~~  
7 ~~the county treasurer, as appropriate, for deposit in a fund to be~~  
8 ~~known as the] county and district court technology fund is a fund in~~  
9 ~~the county treasury. The fund consists of money allocated to the~~  
10 ~~fund under Sections 134.101 and 134.102, Local Government Code.~~

11 (b) Money in the county and district court technology fund  
12 ~~[(d) A fund designated by this article]~~ may be used only to  
13 finance:

14 (1) the cost of continuing education and training for  
15 county court, statutory county court, or district court judges and  
16 clerks regarding technological enhancements for those courts; and

17 (2) the purchase and maintenance of technological  
18 enhancements for a county court, statutory county court, or  
19 district court, including:

- 20 (A) computer systems;
- 21 (B) computer networks;
- 22 (C) computer hardware;
- 23 (D) computer software;
- 24 (E) imaging systems;
- 25 (F) electronic kiosks; and
- 26 (G) docket management systems.

27 (c) ~~[(e)]~~ The county and district court technology fund



1 shall be administered by or under the direction of the  
2 commissioners court of the county.

3 SECTION 1.08. Article 102.017, Code of Criminal Procedure,  
4 is amended to read as follows:

5 Art. 102.017. [~~COURT COSTS,~~] COURTHOUSE SECURITY FUND;  
6 MUNICIPAL COURT BUILDING SECURITY FUND; JUSTICE COURT BUILDING  
7 SECURITY FUND. (a) The [~~A defendant convicted of a felony offense~~  
8 ~~in a district court shall pay a \$5 security fee as a cost of court.~~

9 [~~(b) A defendant convicted of a misdemeanor offense in a~~  
10 ~~county court, county court at law, or district court shall pay a \$3~~  
11 ~~security fee as a cost of court. A defendant convicted of a~~  
12 ~~misdemeanor offense in a justice court shall pay a \$4 security fee~~  
13 ~~as a cost of court. The governing body of a municipality by~~  
14 ~~ordinance may create a municipal court building security fund and~~  
15 ~~may require a defendant convicted of a misdemeanor offense in a~~  
16 ~~municipal court to pay a \$3 security fee as a cost of court.~~

17 [~~(c) In this article, a person is considered convicted if:~~

18 [~~(1) a sentence is imposed on the person,~~

19 [~~(2) the person receives community supervision,~~  
20 ~~including deferred adjudication, or~~

21 [~~(3) the court defers final disposition of the~~  
22 ~~person's case.~~

23 [~~(d) Except as provided by Subsection (d-2), the clerks of~~  
24 ~~the respective courts shall collect the costs and pay them to the~~  
25 ~~county or municipal treasurer, as appropriate, or to any other~~  
26 ~~official who discharges the duties commonly delegated to the county~~  
27 ~~or municipal treasurer, as appropriate, for deposit in a fund to be~~

~~known as the~~ courthouse security fund is a fund in the county treasury, and ~~[or a fund to be known as]~~ the municipal court building security fund is a fund in the municipal treasury. The funds consist of money allocated to the funds under Sections 134.101, 134.102, and 134.103, Local Government Code~~[, as appropriate]~~.

(b) Money deposited in a courthouse security fund may be used only for security personnel, services, and items related to buildings that house the operations of district, county, or justice courts, and money deposited in a municipal court building security fund may be used only for security personnel, services, and items related to buildings that house the operations of municipal courts. For purposes of this subsection, operations of a district, county, or justice court include the activities of associate judges, masters, magistrates, referees, hearing officers, criminal law magistrate court judges, and masters in chancery appointed under:

- (1) Section 61.311, Alcoholic Beverage Code;
- (2) Section 51.04(g) or Chapter 201, Family Code;
- (3) Section 574.0085, Health and Safety Code;
- (4) Section 33.71, Tax Code;
- (5) Chapter 54A, Government Code; or
- (6) Rule 171, Texas Rules of Civil Procedure.

(c) ~~[(d-1)]~~ For purposes of this article, the term "security personnel, services, and items" includes:

- (1) the purchase or repair of X-ray machines and conveying systems;

- 1 (2) handheld metal detectors;
- 2 (3) walkthrough metal detectors;
- 3 (4) identification cards and systems;
- 4 (5) electronic locking and surveillance equipment;
- 5 (6) video teleconferencing systems;
- 6 (7) bailiffs, deputy sheriffs, deputy constables, or
- 7 contract security personnel during times when they are providing
- 8 appropriate security services;
- 9 (8) signage;
- 10 (9) confiscated weapon inventory and tracking
- 11 systems;
- 12 (10) locks, chains, alarms, or similar security
- 13 devices;
- 14 (11) the purchase or repair of bullet-proof glass;
- 15 (12) continuing education on security issues for court
- 16 personnel and security personnel; and
- 17 (13) warrant officers and related equipment.

18 (d) ~~[(d-2)(1)]~~ This subsection applies only to a justice  
19 court located in a county in which one or more justice courts are  
20 located in a building that is not the county courthouse.

21 ~~[(2)]~~ The county treasurer shall deposit one-fourth of  
22 the money allocated to the courthouse security fund under Section  
23 134.103, Local Government Code, in ~~[cost of court collected under~~  
24 ~~Subsection (b) in a justice court described by Subdivision (1)~~  
25 ~~into]~~ a fund to be known as the justice court building security  
26 fund. A fund designated by this subsection may be used only for the  
27 purpose of providing security personnel, services, and items for a

justice court located in a building that is not the county courthouse.

(e) The courthouse security fund and the justice court building security fund shall be administered by or under the direction of the commissioners court. The municipal court building security fund shall be administered by or under the direction of the governing body of the municipality.

(f) The sheriff, constable, or other law enforcement agency or entity that provides security for a court shall provide to the Office of Court Administration of the Texas Judicial System a written report regarding any security incident involving court security that occurs in or around a building housing a court for which the sheriff, constable, agency, or entity provides security not later than the third business day after the date the incident occurred. A copy of the report must be provided to the presiding judge of the court in which the incident occurred. The report is confidential and exempt from disclosure under Chapter 552, Government Code.

SECTION 1.09. Article 102.0172, Code of Criminal Procedure, is amended to read as follows:

Art. 102.0172. ~~[COURT COSTS,]~~ MUNICIPAL COURT TECHNOLOGY FUND. (a) The ~~[governing body of a municipality by ordinance may create a]~~ municipal court technology fund is a fund in the municipal treasury. The fund consists of money allocated to the fund under Section 134.103, Local Government Code ~~[and may require a defendant convicted of a misdemeanor offense in a municipal court or municipal court of record to pay a technology fee not to exceed \$4~~

1 ~~as a cost of court~~].

2 (b) Money in a municipal court technology fund ~~[In this~~  
3 ~~article, a person is considered convicted if:~~

4 ~~[(1) a sentence is imposed on the person;~~

5 ~~[(2) the person is placed on community supervision,~~  
6 ~~including deferred adjudication community supervision; or~~

7 ~~[(3) the court defers final disposition of the~~  
8 ~~person's case.~~

9 ~~[(c) The municipal court clerk shall collect the costs and~~  
10 ~~pay the funds to the municipal treasurer, or to any other official~~  
11 ~~who discharges the duties commonly delegated to the municipal~~  
12 ~~treasurer, for deposit in a fund to be known as the municipal court~~  
13 ~~technology fund.~~

14 ~~[(d) A fund designated by this article]~~ may be used only to  
15 finance the purchase of or to maintain technological enhancements  
16 for a municipal court or municipal court of record, including:

17 (1) computer systems;

18 (2) computer networks;

19 (3) computer hardware;

20 (4) computer software;

21 (5) imaging systems;

22 (6) electronic kiosks;

23 (7) electronic ticket writers; and

24 (8) docket management systems.

25 (c) ~~[(e)]~~ The municipal court technology fund shall be  
26 administered by or under the direction of the governing body of the  
27 municipality.

SECTION 1.10. Article 102.0173, Code of Criminal Procedure,  
is amended to read as follows:

Art. 102.0173. ~~[COURT COSTS,]~~ JUSTICE COURT TECHNOLOGY  
FUND. (a) The ~~[commissioners court of a county by order shall  
create a]~~ justice court technology fund is a fund in the county  
treasury. The fund consists of money allocated to the fund under  
Section 134.103, Local Government Code. ~~[A defendant convicted of  
a misdemeanor offense in justice court shall pay a \$4 justice court  
technology fee as a cost of court for deposit in the fund.]~~

(b) Money in the justice court technology ~~[In this article,  
a person is considered convicted if:~~

~~[(1) a sentence is imposed on the person; or~~

~~[(2) the court defers final disposition of the  
person's case.~~

~~[(c) The justice court clerk shall collect the costs and pay  
the funds to the county treasurer, or to any other official who  
discharges the duties commonly delegated to the county treasurer,  
for deposit in a fund to be known as the justice court technology  
fund.~~

~~[(d) A]~~ fund ~~[designated by this article]~~ may be used only  
to finance:

(1) the cost of continuing education and training for  
justice court judges and clerks regarding technological  
enhancements for justice courts; and

(2) the purchase and maintenance of technological  
enhancements for a justice court, including:

(A) computer systems;

- (B) computer networks;
- (C) computer hardware;
- (D) computer software;
- (E) imaging systems;
- (F) electronic kiosks;
- (G) electronic ticket writers; and
- (H) docket management systems.

(c) ~~[(e)]~~ The justice court technology fund shall be administered by or under the direction of the commissioners court of the county.

(d) ~~[(f)]~~ A justice court may, subject to the approval of the commissioners court, use a fund designated by this article to assist a constable's office or other county department with a technological enhancement, or cost related to the enhancement, described by Subsection (b)(1) ~~[(a)(1)]~~ or (2) if the enhancement directly relates to the operation or efficiency of the justice court. This subsection applies only to a county that:

- (1) has a population of 125,000 or more;
- (2) is not adjacent to a county of two million or more;
- (3) contains a portion of the Guadalupe River; and
- (4) contains a portion of Interstate Highway 10.

SECTION 1.11. The heading to Section 51.702, Government Code, is amended to read as follows:

Sec. 51.702. ADDITIONAL FEES ~~[AND COSTS]~~ IN STATUTORY COUNTY COURTS.

SECTION 1.12. Sections 51.702(c), (d), and (e), Government Code, are amended to read as follows:

1           (c) Fees [~~Court costs and fees~~] due under this section shall  
2 be collected in the same manner as other fees, fines, or costs are  
3 collected in the case.

4           (d) The clerk shall deposit the fees [~~and costs~~] collected  
5 under this section to be sent to the comptroller as provided by  
6 Subchapter B, Chapter 133, Local Government Code. The comptroller  
7 shall deposit the fees in the judicial fund.

8           (e) Section 51.320 applies to a fee [~~or cost~~] collected  
9 under this section.

10          SECTION 1.13. The heading to Section 51.703, Government  
11 Code, is amended to read as follows:

12          Sec. 51.703. ADDITIONAL FEES [~~AND COSTS~~] IN CERTAIN COUNTY  
13 COURTS.

14          SECTION 1.14. Sections 51.703(c), (d), and (e), Government  
15 Code, are amended to read as follows:

16           (c) Fees [~~Court costs and fees~~] due under this section shall  
17 be collected in the same manner as other fees, fines, or costs are  
18 collected in the case.

19           (d) The clerk shall deposit the fees [~~and costs~~] collected  
20 under this section to be sent to the comptroller as provided by  
21 Subchapter B, Chapter 133, Local Government Code. The comptroller  
22 shall deposit the fees in the judicial fund.

23           (e) Section 51.320 applies to a fee [~~or cost~~] collected  
24 under this section.

25          SECTION 1.15. Sections 51.851(e), (f), (g), (i), (j), and  
26 (k), Government Code, are amended to read as follows:

27           (e) A court may waive payment of a [~~court cost or~~] fee due



under this section for an individual the court determines is indigent.

(f) Fees [~~Court costs and fees~~] due under this section shall be collected in the same manner as other fees, fines, or costs in the case.

(g) The clerk of a district court, a county court, a statutory county court, a statutory probate court, or a justice court shall deposit the [~~court costs and~~] fees collected under this section in the appropriate local treasury and remit the [~~court costs and~~] fees to the comptroller in the manner provided by Subchapter B, Chapter 133, Local Government Code.

(i) The comptroller shall deposit the [~~court costs and~~] fees received under this section to the credit of the statewide electronic filing system fund established under Section 51.852.

(j) The comptroller may audit the records of a county related to [~~costs and~~] fees collected under this section.

(k) Money spent from [~~costs and~~] fees collected under this section is subject to audit by the state auditor.

SECTION 1.16. Section 411.402(a), Government Code, is amended to read as follows:

(a) Fees collected under Section 133.102(e)(9) [~~133.102(e)(11)~~], Local Government Code, may only:

(1) be used for the planning, development, provision, enhancement, or ongoing maintenance of an interoperable statewide emergency radio infrastructure;

(2) be used in accordance with the statewide integrated public safety radio communications plan developed under

Subchapter F, Chapter 421;

(3) be used for the development of a regional or state interoperable radio communication system;

(4) be distributed as grants by the department to:

(A) regional councils of government that have entered into interlocal agreements authorized under state law; and

(B) state agencies requiring emergency radio infrastructure; or

(5) be used for other public safety purposes.

SECTION 1.17. Section 411.403(b), Government Code, is amended to read as follows:

(b) The account consists of[+] ~~[(1)]~~ fees deposited in the account as provided by Section 133.102(e)(9) ~~[(133.102(e)(11))]~~, Local Government Code[+] ~~and~~

~~[(2)] notwithstanding Section 404.071, all interest attributable to money held in the account~~].

SECTION 1.18. The drug court account in the general revenue fund established under Article 102.0178(g), Code of Criminal Procedure, as repealed by this Act, is redesignated as the specialty court account in the general revenue fund.

SECTION 1.19. The following provisions are repealed:

- (1) Article 102.004, Code of Criminal Procedure;
- (2) Article 102.0045, Code of Criminal Procedure;
- (3) Article 102.005, Code of Criminal Procedure;
- (4) Articles 102.008(a), (c), and (d), Code of Criminal Procedure;

1           (5) Article 102.0174, Code of Criminal Procedure;  
2           (6) Article 102.0178, Code of Criminal Procedure;  
3           (7) Article 102.020, Code of Criminal Procedure;  
4           (8) Section 21.007, Government Code;  
5           (9) Section 51.702(b), Government Code;  
6           (10) Section 51.703(b), Government Code;  
7           (11) Sections 51.851(a) and (d), Government Code;  
8           (12) Section 133.105, Local Government Code;  
9           (13) Section 133.107, Local Government Code; and  
10          (14) Sections 706.007(b), (c), and (e),  
11 Transportation Code.

12                   ARTICLE 2. FINES; REIMBURSEMENT FEES

13           SECTION 2.01. Section 106.12(e), Alcoholic Beverage Code,  
14 is amended to read as follows:

15           (e) The court shall charge an applicant a reimbursement fee  
16 in the amount of \$30 for each application for expunction filed under  
17 this section to defray the cost of notifying state agencies of  
18 orders of expunction under this section.

19           SECTION 2.02. Section 4, Article 17.42, Code of Criminal  
20 Procedure, is amended to read as follows:

21           Sec. 4. (a) Except as otherwise provided by this  
22 subsection, if a court releases an accused on personal bond on the  
23 recommendation of a personal bond office, the court shall assess a  
24 personal bond reimbursement fee of \$20 or three percent of the  
25 amount of the bail fixed for the accused, whichever is greater. The  
26 court may waive the fee or assess a lesser fee if good cause is  
27 shown. A court that requires a defendant to give a personal bond

under Article 45.016 may not assess a personal bond fee under this subsection.

(b) Reimbursement fees [~~Fees~~] collected under this article may be used solely to defray expenses of the personal bond office, including defraying the expenses of extradition.

(c) Reimbursement fees [~~Fees~~] collected under this article shall be deposited in the county treasury, or if the office serves more than one county, the fees shall be apportioned to each county in the district according to each county's pro rata share of the costs of the office.

SECTION 2.03. Article 17.43(b), Code of Criminal Procedure, is amended to read as follows:

(b) Cost of monitoring may be assessed as reimbursement fees [~~court costs~~] or ordered paid directly by the defendant as a condition of bond.

SECTION 2.04. Articles 17.44(c) and (e), Code of Criminal Procedure, are amended to read as follows:

(c) The magistrate may revoke the bond and order the defendant arrested if the defendant:

(1) violates a condition of home confinement and electronic monitoring;

(2) refuses to submit to a test for controlled substances or submits to a test for controlled substances and the test indicates the presence of a controlled substance in the defendant's body; or

(3) fails to pay the reimbursement fee for [~~costs of~~] monitoring or testing for controlled substances, if payment is

1 ordered under Subsection (e) as a condition of bond and the  
2 magistrate determines that the defendant is not indigent and is  
3 financially able to make the payments as ordered.

4 (e) The cost of electronic monitoring or testing for  
5 controlled substances under this article may be assessed as a  
6 reimbursement fee [~~court costs~~] or ordered paid directly by the  
7 defendant as a condition of bond.

8 SECTION 2.05. Article 17.441(d), Code of Criminal  
9 Procedure, is amended to read as follows:

10 (d) The magistrate may designate an appropriate agency to  
11 verify the installation of the device and to monitor the device. If  
12 the magistrate designates an agency under this subsection, in each  
13 month during which the agency verifies the installation of the  
14 device or provides a monitoring service the defendant shall pay a  
15 reimbursement fee to the designated agency in the amount set by the  
16 magistrate. The defendant shall pay the initial reimbursement fee  
17 at the time the agency verifies the installation of the device. In  
18 each subsequent month during which the defendant is required to pay  
19 a reimbursement fee the defendant shall pay the fee on the first  
20 occasion in that month that the agency provides a monitoring  
21 service. The magistrate shall set the fee in an amount not to  
22 exceed \$10 as determined by the county auditor, or by the  
23 commissioners court of the county if the county does not have a  
24 county auditor, to be sufficient to cover the cost incurred by the  
25 designated agency in conducting the verification or providing the  
26 monitoring service, as applicable in that county.

27 SECTION 2.06. Articles 17.49(b) and (h), Code of Criminal

Procedure, are amended to read as follows:

(b) A magistrate may require as a condition of release on bond that a defendant charged with an offense involving family violence:

(1) refrain from going to or near a residence, school, place of employment, or other location, as specifically described in the bond, frequented by an alleged victim of the offense;

(2) carry or wear a global positioning monitoring system device and, except as provided by Subsection (h), pay a reimbursement fee for the costs associated with operating that system in relation to the defendant; or

(3) except as provided by Subsection (h), if the alleged victim of the offense consents after receiving the information described by Subsection (d), pay a reimbursement fee for the costs associated with providing the victim with an electronic receptor device that:

(A) is capable of receiving the global positioning monitoring system information from the device carried or worn by the defendant; and

(B) notifies the victim if the defendant is at or near a location that the defendant has been ordered to refrain from going to or near under Subdivision (1).

(h) If the magistrate determines that a defendant is indigent, the magistrate may, based on a sliding scale established by local rule, require the defendant to pay a reimbursement fee ~~[costs]~~ under Subsection (b)(2) or (3) in an amount that is less than the full amount of the costs associated with operating the

1 global positioning monitoring system in relation to the defendant  
2 or providing the victim with an electronic receptor device.

3 SECTION 2.07. Articles 26.05(f) and (g), Code of Criminal  
4 Procedure, are amended to read as follows:

5 (f) All payments made under this article shall be paid from  
6 the general fund of the county in which the prosecution was  
7 instituted or habeas corpus hearing held and may be included as  
8 reimbursement fees [~~costs of court~~].

9 (g) If the judge determines that a defendant has financial  
10 resources that enable the defendant to offset in part or in whole  
11 the costs of the legal services provided to the defendant in  
12 accordance with Article 1.051(c) or (d), including any expenses and  
13 costs, the judge shall order the defendant to pay during the  
14 pendency of the charges or, if convicted, as a reimbursement fee  
15 [~~court costs~~] the amount that the judge finds the defendant is able  
16 to pay. The defendant may not be ordered to pay an amount that  
17 exceeds:

18 (1) the actual costs, including any expenses and  
19 costs, paid by the county for the legal services provided by an  
20 appointed attorney; or

21 (2) if the defendant was represented by a public  
22 defender's office, the actual amount, including any expenses and  
23 costs, that would have otherwise been paid to an appointed attorney  
24 had the county not had a public defender's office.

25 SECTION 2.08. The heading to Article 37.073, Code of  
26 Criminal Procedure, is amended to read as follows:

27 Art. 37.073. REPAYMENT OF REWARDS; FINES.

SECTION 2.09. Article 37.073(a), Code of Criminal Procedure, is amended to read as follows:

(a) After a defendant has been convicted of a felony offense, the judge may order a defendant to pay a fine repaying ~~[repay]~~ all or part of a reward paid by a crime stoppers organization.

SECTION 2.10. Articles 42.152(a) and (b), Code of Criminal Procedure, are amended to read as follows:

(a) If a judge orders a defendant to pay a fine repaying ~~[repay]~~ a reward or part of a reward under Article 37.073 ~~[of this code]~~, the court shall assess this fine ~~[cost]~~ against the defendant in the same manner as other finest ~~[costs of prosecution]~~ are assessed against a defendant. The court may order the defendant to:

(1) pay the entire amount required when sentence is pronounced;

(2) pay the entire amount required at a later date specified by the court; or

(3) pay specified portions of the required amount at designated intervals.

(b) After receiving a payment of a fine from a person ordered to make the payment under this article, the clerk of the court or fee officer shall:

(1) make a record of the payment;

(2) deduct a one-time \$7 processing fee from the payment ~~[reward repayment]~~;

(3) forward the payment to the designated crime



1 stoppers organization; and

2 (4) make a record of the forwarding of the payment.

3 SECTION 2.11. Article 42A.301(b), Code of Criminal  
4 Procedure, is amended to read as follows:

5 (b) Conditions of community supervision may include  
6 conditions requiring the defendant to:

7 (1) commit no offense against the laws of this state or  
8 of any other state or of the United States;

9 (2) avoid injurious or vicious habits;

10 (3) avoid persons or places of disreputable or harmful  
11 character, including any person, other than a family member of the  
12 defendant, who is an active member of a criminal street gang;

13 (4) report to the supervision officer as directed by  
14 the judge or supervision officer and obey all rules and regulations  
15 of the community supervision and corrections department;

16 (5) permit the supervision officer to visit the  
17 defendant at the defendant's home or elsewhere;

18 (6) work faithfully at suitable employment to the  
19 extent possible;

20 (7) remain within a specified place;

21 (8) pay in one or more amounts:

22 (A) the defendant's fine, if one is assessed; and

23 (B) all court costs, regardless of whether a fine  
24 is assessed;

25 (9) support the defendant's dependents;

26 (10) participate, for a period specified by the judge,  
27 in any community-based program, including a community service

1 project under Article 42A.304;

2 (11) if the judge determines that the defendant has  
3 financial resources that enable the defendant to offset in part or  
4 in whole the costs of the legal services provided to the defendant  
5 in accordance with Article 1.051(c) or (d), including any expenses  
6 and costs, reimburse the county in which the prosecution was  
7 instituted for the costs of the legal services in an amount that the  
8 judge finds the defendant is able to pay, except that the defendant  
9 may not be ordered to pay an amount that exceeds:

10 (A) the actual costs, including any expenses and  
11 costs, paid by the county for the legal services provided by an  
12 appointed attorney; or

13 (B) if the defendant was represented by a public  
14 defender's office, the actual amount, including any expenses and  
15 costs, that would have otherwise been paid to an appointed attorney  
16 had the county not had a public defender's office;

17 (12) if under custodial supervision in a community  
18 corrections facility:

19 (A) remain under that supervision;

20 (B) obey all rules and regulations of the  
21 facility; and

22 (C) pay a percentage of the defendant's income  
23 to[+]

24 [~~(i)~~] the facility for room and board; [~~and~~

25 [~~(ii) the defendant's dependents for their~~  
26 ~~support during the period of custodial supervision,~~]

27 (13) submit to testing for alcohol or controlled

1 substances;

2 (14) attend counseling sessions for substance abusers  
3 or participate in substance abuse treatment services in a program  
4 or facility approved or licensed by the Department of State Health  
5 Services;

6 (15) with the consent of the victim of a misdemeanor  
7 offense or of any offense under Title 7, Penal Code, participate in  
8 victim-defendant mediation;

9 (16) submit to electronic monitoring;

10 (17) reimburse the compensation to victims of crime  
11 fund for any amounts paid from that fund to or on behalf of a victim,  
12 as defined by Article 56.32, of the offense or if no reimbursement  
13 is required, make one payment to the compensation to victims of  
14 crime fund in an amount not to exceed \$50 if the offense is a  
15 misdemeanor or not to exceed \$100 if the offense is a felony;

16 (18) reimburse a law enforcement agency for the  
17 analysis, storage, or disposal of raw materials, controlled  
18 substances, chemical precursors, drug paraphernalia, or other  
19 materials seized in connection with the offense;

20 (19) reimburse ~~[pay]~~ all or part of the reasonable and  
21 necessary costs incurred by the victim for psychological counseling  
22 made necessary by the offense or for counseling and education  
23 relating to acquired immune deficiency syndrome or human  
24 immunodeficiency virus made necessary by the offense;

25 (20) pay a fine ~~[make one payment]~~ in an amount not to  
26 exceed \$50 to a crime stoppers organization, as defined by Section  
27 414.001, Government Code, and as certified by the Texas Crime

1 Stoppers Council;

2 (21) submit a DNA sample to the Department of Public  
3 Safety under Subchapter G, Chapter 411, Government Code, for the  
4 purpose of creating a DNA record of the defendant; and

5 (22) in any manner required by the judge, provide in  
6 the county in which the offense was committed public notice of the  
7 offense for which the defendant was placed on community  
8 supervision[~~and~~

9 [~~(23) reimburse the county in which the prosecution~~  
10 ~~was instituted for compensation paid to any interpreter in the~~  
11 ~~case~~].

12 SECTION 2.12. Article 42A.452, Code of Criminal Procedure,  
13 is amended to read as follows:

14 Art. 42A.452. TREATMENT, SPECIALIZED SUPERVISION, OR  
15 REHABILITATION. A judge who grants community supervision to a sex  
16 offender evaluated under Article 42A.258 may require the sex  
17 offender as a condition of community supervision to submit to  
18 treatment, specialized supervision, or rehabilitation according to  
19 offense-specific standards of practice adopted by the Council on  
20 Sex Offender Treatment. On a finding that the defendant is  
21 financially able to make payment, the judge shall require the  
22 defendant to pay a reimbursement fee for all or part of the  
23 reasonable and necessary costs of the treatment, supervision, or  
24 rehabilitation.

25 SECTION 2.13. Article 42A.455, Code of Criminal Procedure,  
26 is amended to read as follows:

27 Art. 42A.455. PAYMENT TO CHILDREN'S ADVOCACY CENTER. A

1 judge who grants community supervision to a defendant charged with  
2 or convicted of an offense under Section 21.11 or 22.011(a)(2),  
3 Penal Code, may require the defendant to pay a fine [~~make one~~  
4 ~~payment~~] in an amount not to exceed \$50 to a children's advocacy  
5 center established under Subchapter E, Chapter 264, Family Code.

6 SECTION 2.14. Article 42A.504(b), Code of Criminal  
7 Procedure, is amended to read as follows:

8 (b) If a judge grants community supervision to a defendant  
9 convicted of an offense under Title 5, Penal Code, that the court  
10 determines involves family violence, the judge shall require the  
11 defendant to pay a fine of \$100 to a family violence center that:

12 (1) receives state or federal funds; and

13 (2) serves the county in which the court is located.

14 SECTION 2.15. Article 42A.652, Code of Criminal Procedure,  
15 is amended to read as follows:

16 Art. 42A.652. MONTHLY REIMBURSEMENT FEE. (a) Except as  
17 otherwise provided by this article, a judge who grants community  
18 supervision to a defendant shall set a reimbursement fee of not less  
19 than \$25 and not more than \$60 to be paid each month during the  
20 period of community supervision by the defendant to:

21 (1) the court of original jurisdiction; or

22 (2) the court accepting jurisdiction of the  
23 defendant's case, if jurisdiction is transferred under Article  
24 42A.151.

25 (b) The judge may make payment of the monthly reimbursement  
26 fee a condition of granting or continuing the community  
27 supervision. The judge may waive or reduce the reimbursement fee or

1 suspend a monthly payment of the fee if the judge determines that  
2 payment of the reimbursement fee would cause the defendant a  
3 significant financial hardship.

4 (c) A court accepting jurisdiction of a defendant's case  
5 under Article 42A.151 shall enter an order directing the defendant  
6 to pay the monthly reimbursement fee to that court instead of to the  
7 court of original jurisdiction. To the extent of any conflict  
8 between an order issued under this subsection and an order issued by  
9 a court of original jurisdiction, the order entered under this  
10 subsection prevails.

11 (d) A judge who receives a defendant for supervision as  
12 authorized by Section 510.017, Government Code, may require the  
13 defendant to pay the reimbursement fee authorized by this article.

14 (e) A judge may not require a defendant to pay the  
15 reimbursement fee under this article for any month after the period  
16 of community supervision has been terminated by the judge under  
17 Article 42A.701.

18 (f) A judge shall deposit any reimbursement fee received  
19 under this article in the special fund of the county treasury, to be  
20 used for the same purposes for which state aid may be used under  
21 Chapter 76, Government Code.

22 SECTION 2.16. Article 42A.653, Code of Criminal Procedure,  
23 is amended to read as follows:

24 Art. 42A.653. ADDITIONAL MONTHLY FINE [~~FE~~] FOR CERTAIN SEX  
25 OFFENDERS. (a) A judge who grants community supervision to a  
26 defendant convicted of an offense under Section 21.08, 21.11,  
27 22.011, 22.021, 25.02, 43.25, or 43.26, Penal Code, shall require

1 as a condition of community supervision that the defendant pay to  
2 the defendant's supervision officer a community supervision fine  
3 [~~fee~~] of \$5 each month during the period of community supervision.

4 (b) A fine [~~fee~~] imposed under this article is in addition  
5 to court costs or any other fee or fine imposed on the defendant.

6 (c) A community supervision and corrections department  
7 shall deposit a fine [~~fee~~] collected under this article to be sent  
8 to the comptroller as provided by Subchapter B, Chapter 133, Local  
9 Government Code. The comptroller shall deposit the fine [~~fee~~] in  
10 the sexual assault program fund under Section 420.008, Government  
11 Code.

12 (d) If a community supervision and corrections department  
13 does not collect a fine [~~fee~~] imposed under this article, the  
14 department is not required to file any report required by the  
15 comptroller that relates to the collection of the fine [~~fee~~].

16 SECTION 2.17. Article 45.0216(i), Code of Criminal  
17 Procedure, is amended to read as follows:

18 (i) The justice or municipal court shall require a person  
19 who requests expungement under this article to pay a reimbursement  
20 fee in the amount of \$30 to defray the cost of notifying state  
21 agencies of orders of expungement under this article.

22 SECTION 2.18. Articles 45.026(a) and (b), Code of Criminal  
23 Procedure, are amended to read as follows:

24 (a) A justice or municipal court may order a party who does  
25 not waive a jury trial in a justice or municipal court and who fails  
26 to appear for the trial to pay a reimbursement fee for the costs  
27 incurred for impaneling the jury.

1 (b) The justice or municipal court may release a party from  
2 the obligation to pay the reimbursement fee ~~[costs]~~ under this  
3 section for good cause.

4 SECTION 2.19. Articles 45.051(a), (b), (b-2), (b-3), and  
5 (g), Code of Criminal Procedure, are amended to read as follows:

6 (a) On a plea of guilty or nolo contendere by a defendant or  
7 on a finding of guilt in a misdemeanor case punishable by fine only  
8 and payment of all court costs, the judge may defer further  
9 proceedings without entering an adjudication of guilt and place the  
10 defendant on probation for a period not to exceed 180 days. In  
11 issuing the order of deferral, the judge may impose a fine ~~[special~~  
12 ~~expense fee]~~ on the defendant in an amount not to exceed the amount  
13 of the fine that could be imposed on the defendant as punishment for  
14 the offense. The fine ~~[special expense fee]~~ may be collected at any  
15 time before the date on which the period of probation ends. The  
16 judge may elect not to impose the fine ~~[special expense fee]~~ for  
17 good cause shown by the defendant. If the judge orders the  
18 collection of a fine under this subsection ~~[special expense fee]~~,  
19 the judge shall require that the amount of the fine ~~[special expense~~  
20 ~~fee]~~ be credited toward the payment of the amount of any ~~[the]~~ fine  
21 imposed by the judge as punishment for the offense. An order of  
22 deferral under this subsection terminates any liability under a  
23 bond given for the charge.

24 (b) During the deferral period, the judge may require the  
25 defendant to:

26 (1) post a bond in the amount of the fine assessed as  
27 punishment for the offense to secure payment of the fine;



1           (2) pay restitution to the victim of the offense in an  
2 amount not to exceed the fine assessed as punishment for the  
3 offense;

4           (3) submit to professional counseling;

5           (4) submit to diagnostic testing for alcohol or a  
6 controlled substance or drug;

7           (5) submit to a psychosocial assessment;

8           (6) participate in an alcohol or drug abuse treatment  
9 or education program, such as:

10           (A) a drug education program that is designed to  
11 educate persons on the dangers of drug abuse and is approved by the  
12 Department of State Health Services in accordance with Section  
13 [521.374](#), Transportation Code; or

14           (B) an alcohol awareness program described by  
15 Section [106.115](#), Alcoholic Beverage Code;

16           (7) pay as reimbursement fees the costs of any  
17 diagnostic testing, psychosocial assessment, or participation in a  
18 treatment or education program either directly or through the court  
19 as court costs;

20           (8) complete a driving safety course approved under  
21 Chapter [1001](#), Education Code, or another course as directed by the  
22 judge;

23           (9) present to the court satisfactory evidence that  
24 the defendant has complied with each requirement imposed by the  
25 judge under this article; and

26           (10) comply with any other reasonable condition.

27           (b-2) A person examined as required by Subsection (b-1)(3)

1 must pay a \$10 reimbursement fee for the examination [~~fee~~].

2 (b-3) The reimbursement fee collected under Subsection  
3 (b-2) must be deposited to the credit of a special account in the  
4 general revenue fund and may be used only by the Department of  
5 Public Safety for the administration of Chapter 521, Transportation  
6 Code.

7 (g) If a judge requires a defendant under Subsection (b) to  
8 attend an alcohol awareness program or drug education program as  
9 described by Subdivision (6) of that subsection, unless the judge  
10 determines that the defendant is indigent and unable to pay the  
11 cost, the judge shall require the defendant to pay a reimbursement  
12 fee for the cost of attending the program. The judge may allow the  
13 defendant to pay the fee [~~cost of attending the program~~] in  
14 installments during the deferral period.

15 SECTION 2.20. Article 45.051(a-1), Code of Criminal  
16 Procedure, as amended by Chapters 227 (H.B. 350) and 777  
17 (H.B. 1964), Acts of the 82nd Legislature, Regular Session, 2011,  
18 is reenacted and amended to read as follows:

19 (a-1) Notwithstanding any other provision of law, as an  
20 alternative to requiring a defendant charged with one or more  
21 offenses to make payment of all finances and court costs as required by  
22 Subsection (a), the judge may:

23 (1) allow the defendant to enter into an agreement for  
24 payment of those finances and costs in installments during the  
25 defendant's period of probation;

26 (2) require an eligible defendant to discharge all or  
27 part of those finances and costs by performing community service or

attending a tutoring program under Article 45.049 or under Article 45.0492, as added by Chapter 227 (H.B. 350), Acts of the 82nd Legislature, Regular Session, 2011; ~~[or]~~

(3) waive all or part of those fines and costs under Article 45.0491; or

(4) take any combination of actions authorized by Subdivision (1), ~~[or]~~ (2), or (3).

SECTION 2.21. Articles 45.0511(c-1), (f), (g), and (h), Code of Criminal Procedure, are amended to read as follows:

(c-1) In this subsection, "state electronic Internet portal" has the meaning assigned by Section 2054.003, Government Code. As an alternative to receiving the defendant's driving record under Subsection (c)(2), the judge, at the time the defendant requests a driving safety course or motorcycle operator training course dismissal under this article, may require the defendant to pay a reimbursement fee in an amount equal to the sum of the amount of the fee established by Section 521.048, Transportation Code, and the state electronic Internet portal fee and, using the state electronic Internet portal, may request the Texas Department of Public Safety to provide the judge with a copy of the defendant's driving record that shows the information described by Section 521.047(b), Transportation Code. As soon as practicable and using the state electronic Internet portal, the Texas Department of Public Safety shall provide the judge with the requested copy of the defendant's driving record. The reimbursement fee authorized by this subsection is in addition to any other fee required under this article. If the copy of the

defendant's driving record provided to the judge under this subsection shows that the defendant has not completed an approved driving safety course or motorcycle operator training course, as appropriate, within the 12 months preceding the date of the offense, the judge shall allow the defendant to complete the appropriate course as provided by this article. The custodian of a municipal or county treasury who receives reimbursement fees collected under this subsection shall keep a record of the fees and, without deduction or proration, forward the fees to the comptroller, with and in the manner required for other fees and costs received in connection with criminal cases. The comptroller shall credit fees received under this subsection to the Texas Department of Public Safety.

(f) In addition to court costs and fees authorized or imposed by a law of this state and applicable to the offense, the court may:

(1) require a defendant requesting a course under Subsection (b) to pay a reimbursement ~~[an administrative]~~ fee ~~[set by the court]~~ to cover the cost of administering this article in ~~[at]~~ an amount of not more than \$10; or

(2) require a defendant requesting a course under Subsection (d) to pay a fine ~~[fee]~~ set by the court at an amount not to exceed the maximum amount of the fine for the offense committed by the defendant.

(g) A defendant who requests but does not take a course is not entitled to a refund of the reimbursement fee or fine assessed under Subsection (f).

1           (h) Money [~~Fees~~] collected by a municipal court shall be  
2 deposited in the municipal treasury. Money [~~Fees~~] collected by  
3 another court shall be deposited in the county treasury of the  
4 county in which the court is located.

5           SECTION 2.22. Articles 45.052(e), (g), and (i), Code of  
6 Criminal Procedure, are amended to read as follows:

7           (e) The justice or municipal court may require a person who  
8 requests a teen court program to pay a reimbursement fee not to  
9 exceed \$10 that is set by the court to cover the costs of  
10 administering this article. Reimbursement fees [~~Fees~~] collected by  
11 a municipal court shall be deposited in the municipal treasury.  
12 Reimbursement fees [~~Fees~~] collected by a justice court shall be  
13 deposited in the county treasury of the county in which the court is  
14 located. A person who requests a teen court program and fails to  
15 complete the program is not entitled to a refund of the fee.

16           (g) In addition to the reimbursement fee authorized by  
17 Subsection (e) [~~of this article~~], the court may require a child who  
18 requests a teen court program to pay a \$10 reimbursement fee to  
19 cover the cost to the teen court for performing its duties under  
20 this article. The court shall pay the fee to the teen court  
21 program, and the teen court program must account to the court for  
22 the receipt and disbursal of the fee. A child who pays a fee under  
23 this subsection is not entitled to a refund of the fee, regardless  
24 of whether the child successfully completes the teen court program.

25           (i) Notwithstanding Subsection (e) or (g), a justice or  
26 municipal court that is located in the Texas-Louisiana border  
27 region, as defined by Section 2056.002, Government Code, may charge

1 a reimbursement fee of \$20 under those subsections.

2 SECTION 2.23. The heading to Article 45.203, Code of  
3 Criminal Procedure, is amended to read as follows:

4 Art. 45.203. COLLECTION OF FINES AND[7] COSTS[7, ~~AND SPECIAL~~  
5 ~~EXPENSES~~].

6 SECTION 2.24. Article 45.203(c), Code of Criminal  
7 Procedure, is amended to read as follows:

8 (c) The governing body of each municipality may prescribe by  
9 ordinance the collection, after due notice, of a fine [~~special~~  
10 ~~expense,~~] not to exceed \$25 for [~~the issuance and service of a~~  
11 ~~warrant of arrest for~~] an offense under Section 38.10(e) [~~38.10~~],  
12 Penal Code, or Section 543.009, Transportation Code. Money  
13 collected from the fine [~~special expense~~] shall be paid into the  
14 municipal treasury for the use and benefit of the municipality.

15 SECTION 2.25. The heading to Article 102.001, Code of  
16 Criminal Procedure, is amended to read as follows:

17 Art. 102.001. REIMBURSEMENT FEES FOR SERVICES OF PEACE  
18 OFFICERS.

19 SECTION 2.26. Article 102.001(b), Code of Criminal  
20 Procedure, is amended to read as follows:

21 (b) A [~~In addition to fees provided by Subsection (a), a~~]  
22 defendant required to pay reimbursement fees under this article  
23 shall [~~also~~] pay 15 cents per mile for mileage required of an  
24 officer to perform a service listed in this subsection and to return  
25 from performing that service. If the service provided is the  
26 execution of a writ and the writ is directed to two or more persons  
27 or the officer executes more than one writ in a case, the defendant

1 is required to pay only mileage actually and necessarily traveled.  
2 In calculating mileage, the officer must use the railroad or the  
3 most practical route by private conveyance. This subsection  
4 applies to:

5 (1) conveying a prisoner after conviction to the  
6 county jail;

7 (2) conveying a prisoner arrested on a warrant or  
8 capias issued in another county to the court or jail of the county  
9 in which the warrant or capias was issued; and

10 (3) traveling to execute criminal process, to summon  
11 or attach a witness, and to execute process not otherwise described  
12 by this article.

13 SECTION 2.27. Article 102.007, Code of Criminal Procedure,  
14 is amended to read as follows:

15 Art. 102.007. REIMBURSEMENT FEE FOR COLLECTING AND  
16 PROCESSING CHECK OR SIMILAR SIGHT ORDER. (a) A county attorney,  
17 district attorney, or criminal district attorney may collect a  
18 reimbursement fee if the attorney's office collects and processes a  
19 check or similar sight order, as defined by Section 1.07, Penal  
20 Code, and ~~if~~ the check or similar sight order:

21 (1) has been issued or passed in a manner that makes  
22 the issuance or passing an offense under:

23 (A) Section 31.03, Penal Code;

24 (B) Section 31.04, Penal Code; or

25 (C) Section 32.41, Penal Code; or

26 (2) has been forged, as defined by Section 32.21,  
27 Penal Code.

1 (b) The county attorney, district attorney, or criminal  
2 district attorney may collect the reimbursement fee from any person  
3 who is a party to the offense described in Subsection (a).

4 (c) The amount of the reimbursement fee may not exceed:

5 (1) \$10 if the face amount of the check or sight order  
6 does not exceed \$10;

7 (2) \$15 if the face amount of the check or sight order  
8 is greater than \$10 but does not exceed \$100;

9 (3) \$30 if the face amount of the check or sight order  
10 is greater than \$100 but does not exceed \$300;

11 (4) \$50 if the face amount of the check or sight order  
12 is greater than \$300 but does not exceed \$500; and

13 (5) \$75 if the face amount of the check or sight order  
14 is greater than \$500.

15 (d) If the person from whom the reimbursement fee is  
16 collected was a party to the offense of forgery, as defined by  
17 Section 32.21, Penal Code, committed by altering the face amount of  
18 the check or sight order, the face amount as altered governs for the  
19 purposes of determining the amount of the fee.

20 (e) In addition to the reimbursement ~~[collection]~~ fee  
21 specified in Subsection (c), the county attorney, district  
22 attorney, or criminal district attorney may collect the fee  
23 authorized by Section 3.506, Business & Commerce Code, for the  
24 benefit of the holder of a check or similar sight order or the  
25 holder's assignee, agent, representative, or any other person  
26 retained by the holder to seek collection of the check or order.

27 (f) Reimbursement fees ~~[Fees]~~ collected under Subsection



1 (c) [~~of this article~~] shall be deposited in the county treasury in a  
2 special fund to be administered by the county attorney, district  
3 attorney, or criminal district attorney. Expenditures from this  
4 fund shall be at the sole discretion of the attorney and may be used  
5 only to defray the salaries and expenses of the prosecutor's  
6 office, but in no event may the county attorney, district attorney,  
7 or criminal district attorney supplement his or her own salary from  
8 this fund.

9 (g) In addition to the reimbursement [~~collection~~] fee  
10 specified in Subsections (b) and (c), the issuer of a check or  
11 similar sight order that has been issued or passed as described by  
12 Subsection (a)(1) is liable for a reimbursement fee in an amount  
13 equal to the costs of delivering notification by registered or  
14 certified mail with return receipt requested. The reimbursement  
15 fee under this subsection must be collected in all cases described  
16 by Subsection (a)(1), and on receipt of proof of the actual costs  
17 expended, the fee shall be remitted to the holder of the check or  
18 similar sight order.

19 SECTION 2.28. The heading to Article [102.011](#), Code of  
20 Criminal Procedure, is amended to read as follows:

21 Art. 102.011. REIMBURSEMENT FEES FOR SERVICES OF PEACE  
22 OFFICERS.

23 SECTION 2.29. Articles [102.011](#)(a), (b), (c), (d), (e), and  
24 (i), Code of Criminal Procedure, are amended to read as follows:

25 (a) A defendant convicted of a felony or a misdemeanor shall  
26 pay the following reimbursement fees for services performed in the  
27 case by a peace officer:

1           (1) \$5 for issuing a written notice to appear in court  
2 following the defendant's violation of a traffic law, municipal  
3 ordinance, or penal law of this state, or for making an arrest  
4 without a warrant;

5           (2) \$50 for executing or processing an issued arrest  
6 warrant, capias, or capias pro fine, with the fee imposed for the  
7 services of:

8                   (A) the law enforcement agency that executed the  
9 arrest warrant or capias, if the agency requests of the court, not  
10 later than the 15th day after the date of the execution of the  
11 arrest warrant or capias, the imposition of the fee on conviction;  
12 or

13                   (B) the law enforcement agency that processed the  
14 arrest warrant or capias, if:

15                           (i) the arrest warrant or capias was not  
16 executed; or

17                           (ii) the executing law enforcement agency  
18 failed to request the fee within the period required by Paragraph  
19 (A) ~~[of this subdivision]~~;

20           (3) \$5 for summoning a witness;

21           (4) \$35 for serving a writ not otherwise listed in this  
22 article;

23           (5) \$10 for taking and approving a bond and, if  
24 necessary, returning the bond to the courthouse;

25           (6) \$5 for commitment or release;

26           (7) \$5 for summoning a jury, if a jury is summoned; and

27           (8) \$8 for each day's attendance of a prisoner in a

1 habeas corpus case if the prisoner has been remanded to custody or  
2 held to bail.

3 (b) In addition to the reimbursement fees provided by  
4 Subsection (a) [~~of this article~~], a defendant required to pay  
5 reimbursement fees under this article shall also pay 29 cents per  
6 mile for mileage required of an officer to perform a service listed  
7 in this subsection and to return from performing that service. If  
8 the service provided is the execution of a writ and the writ is  
9 directed to two or more persons or the officer executes more than  
10 one writ in a case, the defendant is required to pay only mileage  
11 actually and necessarily traveled. In calculating mileage, the  
12 officer must use the railroad or the most practical route by private  
13 conveyance. The defendant shall also pay all necessary and  
14 reasonable expenses for meals and lodging incurred by the officer  
15 in the performance of services under this subsection, to the extent  
16 such expenses meet the requirements of Section 611.001, Government  
17 Code. This subsection applies to:

18 (1) conveying a prisoner after conviction to the  
19 county jail;

20 (2) conveying a prisoner arrested on a warrant or  
21 capias issued in another county to the court or jail of the county;  
22 and

23 (3) traveling to execute criminal process, to summon  
24 or attach a witness, and to execute process not otherwise described  
25 by this article.

26 (c) If an officer attaches a witness on the order of a court  
27 outside the county, the defendant shall pay a reimbursement fee of

\$10 per day or part of a day spent by the officer conveying the witness and actual necessary expenses for travel by the most practical public conveyance. In order to receive expenses under this subsection, the officer must make a sworn statement of the expenses and the judge issuing the attachment must approve the statement.

(d) A defendant shall pay for the services of a sheriff or constable who serves process and attends an examining trial in a felony or a misdemeanor case the same reimbursement fees allowed for those services in the trial of a felony or a misdemeanor, not to exceed \$5.

(e) A reimbursement fee under Subsection (a)(1) or (2) [~~(a)(2) of this article~~] shall be assessed on conviction, regardless of whether the defendant was also arrested at the same time for another offense, and shall be assessed for each arrest made of a defendant arising out of the offense for which the defendant has been convicted.

(i) In addition to reimbursement fees provided by Subsections (a) through (e) [~~(g) of this article~~], a defendant required to pay reimbursement fees under this article shall also pay the costs of overtime paid to a peace officer for time spent testifying in the trial of the case or for traveling to or from testifying in the trial of the case.

SECTION 2.30. Article [102.012](#), Code of Criminal Procedure, is amended to read as follows:

Art. 102.012. REIMBURSEMENT FEES FOR PRETRIAL INTERVENTION PROGRAMS. (a) A court that authorizes a defendant to participate

1 in a pretrial intervention program established under Section  
2 76.011, Government Code, may order the defendant to pay to the court  
3 a supervision reimbursement fee in an amount not more than \$60 per  
4 month as a condition of participating in the program.

5 (b) In addition to or in lieu of the supervision  
6 reimbursement fee authorized by Subsection (a), the court may order  
7 the defendant to pay or reimburse a community supervision and  
8 corrections department for any other expense that is:

9 (1) incurred as a result of the defendant's  
10 participation in the pretrial intervention program, other than an  
11 expense described by Article 102.0121; or

12 (2) necessary to the defendant's successful completion  
13 of the program.

14 SECTION 2.31. Article 102.0121, Code of Criminal Procedure,  
15 is amended to read as follows:

16 Art. 102.0121. REIMBURSEMENT FEES FOR CERTAIN EXPENSES  
17 RELATED TO PRETRIAL INTERVENTION PROGRAMS. (a) A district  
18 attorney, criminal district attorney, or county attorney may  
19 collect a reimbursement fee in an amount not to exceed \$500 to be  
20 used to reimburse a county for expenses, including expenses of the  
21 district attorney's, criminal district attorney's, or county  
22 attorney's office, related to a defendant's participation in a  
23 pretrial intervention program offered in that county.

24 (b) The district attorney, criminal district attorney, or  
25 county attorney may collect the reimbursement fee from any  
26 defendant who participates in a pretrial intervention program  
27 administered in any part by the attorney's office.

1 (c) Reimbursement fees [~~Fees~~] collected under this article  
2 shall be deposited in the county treasury in a special fund to be  
3 used solely to administer the pretrial intervention program. An  
4 expenditure from the fund may be made only in accordance with a  
5 budget approved by the commissioners court.

6 SECTION 2.32. The heading to Article 102.014, Code of  
7 Criminal Procedure, is amended to read as follows:

8 Art. 102.014. FINES [~~COURT COSTS~~] FOR CHILD SAFETY FUND IN  
9 MUNICIPALITIES.

10 SECTION 2.33. Articles 102.014(a), (b), (c), (d), (f), (g),  
11 and (h), Code of Criminal Procedure, are amended to read as follows:

12 (a) The governing body of a municipality with a population  
13 greater than 850,000 according to the most recent federal decennial  
14 census that has adopted an ordinance, regulation, or order  
15 regulating the stopping, standing, or parking of vehicles as  
16 allowed by Section 542.202, Transportation Code, or Chapter 682,  
17 Transportation Code, shall by order assess [~~a court cost~~] on each  
18 parking violation a fine of not less than \$2 and not to exceed \$5.

19 [~~The court costs under this subsection shall be collected in the~~  
20 ~~same manner that other fines in the case are collected.~~]

21 (b) The governing body of a municipality with a population  
22 less than 850,000 according to the most recent federal decennial  
23 census that has adopted an ordinance, regulation, or order  
24 regulating the stopping, standing, or parking of vehicles as  
25 allowed by Section 542.202, Transportation Code, or Chapter 682,  
26 Transportation Code, may by order assess [~~a court cost~~] on each  
27 parking violation a fine not to exceed \$5. [~~The additional court~~

~~cost under this subsection shall be collected in the same manner that other fines in the case are collected.]~~

(c) A person convicted of an offense under Subtitle C, Title 7, Transportation Code, when the offense occurs within a school crossing zone as defined by Section 541.302 of that code, shall pay a fine of ~~[as court costs]~~ \$25 ~~[in addition to other taxable court costs]~~. A person convicted of an offense under Section 545.066, Transportation Code, shall pay a fine of ~~[as court costs]~~ \$25 in addition to other taxable court costs. A fine ~~[The additional court costs]~~ under this subsection ~~[shall be collected in the same manner that other fines and taxable court costs in the case are collected and]~~ shall be assessed only in a municipality.

(d) A person convicted of an offense under Section 25.093, Education Code, shall pay a fine of ~~[as taxable court costs]~~ \$20 ~~[in addition to other taxable court costs. The additional court costs under this subsection shall be collected in the same manner that other fines and taxable court costs in the case are collected]~~.

(f) In a municipality with a population greater than 850,000 according to the most recent federal decennial census, the officer collecting a fine ~~[the costs]~~ in a municipal court case shall deposit money collected under this article in the municipal child safety trust fund established as required by Chapter 106, Local Government Code.

(g) In a municipality with a population less than 850,000 according to the most recent federal decennial census, the money collected under this article in a municipal court case must be used for a school crossing guard program if the municipality operates

1 one. If the municipality does not operate a school crossing guard  
2 program or if the money received from finer [~~court costs~~] from  
3 municipal court cases exceeds the amount necessary to fund the  
4 school crossing guard program, the municipality may:

5 (1) deposit the additional money in an  
6 interest-bearing account;

7 (2) expend the additional money for programs designed  
8 to enhance child safety, health, or nutrition, including child  
9 abuse prevention and intervention and drug and alcohol abuse  
10 prevention; or

11 (3) expend the additional money for programs designed  
12 to enhance public safety and security.

13 (h) Money collected under this article in a justice, county,  
14 or district court shall be used to fund school crossing guard  
15 programs in the county where they are collected. If the county does  
16 not operate a school crossing guard program, the county may:

17 (1) remit fine [~~fee~~] revenues to school districts in  
18 its jurisdiction for the purpose of providing school crossing guard  
19 services;

20 (2) fund programs the county is authorized by law to  
21 provide which are designed to enhance child safety, health, or  
22 nutrition, including child abuse prevention and intervention and  
23 drug and alcohol abuse prevention;

24 (3) provide funding to the sheriff's department for  
25 school-related activities;

26 (4) provide funding to the county juvenile probation  
27 department; or



1           (5) deposit the money in the general fund of the  
2 county.

3           SECTION 2.34. The heading to Article 102.0171, Code of  
4 Criminal Procedure, is amended to read as follows:

5           Art. 102.0171. FINES [~~COURT COSTS~~]: JUVENILE DELINQUENCY  
6 PREVENTION FUNDS.

7           SECTION 2.35. Articles 102.0171(a) and (c), Code of  
8 Criminal Procedure, are amended to read as follows:

9           (a) A defendant convicted of an offense under Section 28.08,  
10 Penal Code, in a county court, county court at law, or district  
11 court shall pay a fine of \$50 for juvenile delinquency prevention  
12 and graffiti eradication [~~fee as a cost of court~~].

13           (c) The clerks of the respective courts shall collect the  
14 finest [~~costs~~] and pay the fines [~~them~~] to the county treasurer or to  
15 any other official who discharges the duties commonly delegated to  
16 the county treasurer for deposit in a fund to be known as the county  
17 juvenile delinquency prevention fund. A fund designated by this  
18 subsection may be used only to:

19           (1) repair damage caused by the commission of offenses  
20 under Section 28.08, Penal Code;

21           (2) provide educational and intervention programs and  
22 materials, including printed educational materials for  
23 distribution to primary and secondary school students, designed to  
24 prevent individuals from committing offenses under Section 28.08,  
25 Penal Code;

26           (3) provide to the public rewards for identifying and  
27 aiding in the apprehension and prosecution of offenders who commit

1 offenses under Section 28.08, Penal Code;

2 (4) provide funding for teen recognition and teen  
3 recreation programs;

4 (5) provide funding for local teen court programs;

5 (6) provide funding for the local juvenile probation  
6 department; and

7 (7) provide educational and intervention programs  
8 designed to prevent juveniles from engaging in delinquent conduct.

9 SECTION 2.36. The heading to Article 102.018, Code of  
10 Criminal Procedure, is amended to read as follows:

11 Art. 102.018. REIMBURSEMENT FEES AND EXPENSES [~~COSTS~~]  
12 ATTENDANT TO INTOXICATION CONVICTIONS.

13 SECTION 2.37. Articles 102.018(a) and (b), Code of Criminal  
14 Procedure, are amended to read as follows:

15 (a) Except as provided by Subsection (d) [~~of this article~~],  
16 on conviction of an offense relating to the driving or operating of  
17 a motor vehicle under Section 49.04, Penal Code, the court shall  
18 impose a reimbursement fee [~~cost~~] of \$15 on a defendant if,  
19 subsequent to the arrest of the defendant, a law enforcement agency  
20 visually recorded the defendant with an electronic device.  
21 Reimbursement fees [~~Costs~~] imposed under this subsection are in  
22 addition to other court costs or fees and are due whether or not the  
23 defendant is granted probation in the case. The court shall collect  
24 the reimbursement fees [~~costs~~] in the same manner as other fees  
25 [~~costs~~] are collected in the case.

26 (b) Except as provided by Subsection (d), on conviction of  
27 an offense relating to the driving or operating of a motor vehicle

1 punishable under Section 49.04(b), Penal Code, the court shall  
 2 impose as a reimbursement fee [~~cost of court~~] on the defendant an  
 3 amount that is equal to the reimbursement fee [~~cost~~] of an  
 4 evaluation of the defendant performed under Article 42A.402(a).  
 5 Reimbursement fees [~~Costs~~] imposed under this subsection are in  
 6 addition to other court costs and are due whether or not the  
 7 defendant is granted community supervision in the case, except that  
 8 if the court determines that the defendant is indigent and unable to  
 9 pay the fee [~~cost~~], the court may waive the imposition of the fee  
 10 [~~cost~~].

11 SECTION 2.38. Article 102.0185, Code of Criminal Procedure,  
 12 is amended to read as follows:

13 Art. 102.0185. FINE FOR [~~ADDITIONAL COSTS ATTENDANT TO~~]  
 14 INTOXICATION CONVICTIONS: EMERGENCY MEDICAL SERVICES, TRAUMA  
 15 FACILITIES, AND TRAUMA CARE SYSTEMS. (a) In addition to the  
 16 reimbursement fee [~~costs on conviction~~] imposed by Article  
 17 [~~Articles 102.016 and~~] 102.018, a person convicted of an offense  
 18 under Chapter 49, Penal Code, except for Sections 49.02 and 49.031  
 19 of that code, shall pay a fine of \$100 on conviction of the offense.

20 (b) Fines [~~Costs~~] imposed under this article are imposed  
 21 without regard to whether the defendant is placed on community  
 22 supervision after being convicted of the offense or receives  
 23 deferred disposition or deferred adjudication for the offense.

24 (c) Fines [~~Costs~~] imposed under this article are collected  
 25 in the manner provided for the collection of court costs by  
 26 Subchapter B, Chapter 133, Local Government Code.

27 (d) The officer collecting the finer [~~costs~~] under this

1 article shall keep separate records of the money collected and  
2 shall pay the money to the custodian of the municipal or county  
3 treasury.

4 (e) The custodian of the municipal or county treasury shall:

5 (1) keep records of the amount of money collected  
6 under this article that is deposited with the treasury under this  
7 article; and

8 (2) not later than the last day of the first month  
9 following each calendar quarter:

10 (A) pay the money collected under this article  
11 during the preceding calendar quarter to the comptroller; or

12 (B) if, in the calendar quarter, the custodian of  
13 the municipal or county treasury did not receive any money  
14 attributable to finer [~~costs~~] paid under this article, file a  
15 report with the comptroller stating that fact.

16 (f) The comptroller shall deposit the funds received under  
17 this article to the credit of the account established under Section  
18 773.006, Health and Safety Code.

19 SECTION 2.39. The heading to Article 102.0186, Code of  
20 Criminal Procedure, is amended to read as follows:

21 Art. 102.0186. FINE FOR [~~ADDITIONAL COSTS ATTENDANT TO~~]  
22 CERTAIN CHILD SEXUAL ASSAULT AND RELATED CONVICTIONS.

23 SECTION 2.40. Articles 102.0186(a), (b), and (c), Code of  
24 Criminal Procedure, are amended to read as follows:

25 (a) A person convicted of an offense under Section 21.02,  
26 21.11, 22.011(a)(2), 22.021(a)(1)(B), 43.25, 43.251, or 43.26,  
27 Penal Code, shall pay a fine of \$100 on conviction of the offense.

1           (b) A fine [~~costs~~] imposed under this article is [~~are~~]  
2 imposed without regard to whether the defendant is placed on  
3 community supervision after being convicted of the offense or  
4 receives deferred adjudication for the offense.

5           (c) The clerks of the respective courts shall collect the  
6 finer [~~costs~~] and pay the fines [~~them~~] to the county treasurer or to  
7 any other official who discharges the duties commonly delegated to  
8 the county treasurer for deposit in a fund to be known as the county  
9 child abuse prevention fund. A fund designated by this subsection  
10 may be used only to fund child abuse prevention programs in the  
11 county where the court is located.

12           SECTION 2.41. Article 104.002(d), Code of Criminal  
13 Procedure, is amended to read as follows:

14           (d) A person who is or was a prisoner in a county jail and  
15 received medical, dental, or health related services from a county  
16 or a hospital district shall be required to pay a reimbursement fee  
17 for such services when they are rendered. If such prisoner is an  
18 eligible county resident as defined in Section 61.002, Health and  
19 Safety Code, the county or hospital district providing the services  
20 has a right of subrogation to the prisoner's right of recovery from  
21 any source, limited to the cost of services provided. A prisoner,  
22 unless the prisoner fully pays for the cost of services received,  
23 shall remain obligated to reimburse the county or hospital district  
24 for any medical, dental, or health services provided, and the  
25 county or hospital district may apply for reimbursement in the  
26 manner provided by Chapter 61, Health and Safety Code. A county or  
27 hospital district shall have authority to recover the amount

1 expended in a civil action.

2 SECTION 2.42. Sections 54.032(e), (g), and (h), Family  
3 Code, are amended to read as follows:

4 (e) The court may require a child who requests a teen court  
5 program to pay a reimbursement fee not to exceed \$10 that is set by  
6 the court to cover the costs of administering this section. The  
7 court shall deposit the fee in the county treasury of the county in  
8 which the court is located. A child who requests a teen court  
9 program and does not complete the program is not entitled to a  
10 refund of the fee.

11 (g) In addition to the reimbursement fee authorized by  
12 Subsection (e), the court may require a child who requests a teen  
13 court program to pay a \$10 reimbursement fee to cover the cost to  
14 the teen court for performing its duties under this section. The  
15 court shall pay the fee to the teen court program, and the teen  
16 court program must account to the court for the receipt and  
17 disbursement of the fee. A child who pays a fee under this subsection  
18 is not entitled to a refund of the fee, regardless of whether the  
19 child successfully completes the teen court program.

20 (h) Notwithstanding Subsection (e) or (g), a juvenile court  
21 that is located in the Texas-Louisiana border region, as defined by  
22 Section 2056.002, Government Code, may charge a reimbursement fee  
23 of \$20 under those subsections.

24 SECTION 2.43. Sections 41.258(b), (c), (d), and (f),  
25 Government Code, are amended to read as follows:

26 (b) A court, judge, magistrate, peace officer, or other  
27 officer taking a bail bond for an offense other than a misdemeanor

1 punishable by fine only under Chapter 17, Code of Criminal  
 2 Procedure, shall require the payment of a \$15 reimbursement fee  
 3 [~~cost~~] by each surety posting the bail bond, provided the fee [~~cost~~]  
 4 does not exceed \$30 for all bail bonds posted at that time for an  
 5 individual and the fee [~~cost~~] is not required on the posting of a  
 6 personal or cash bond.

7 (c) An officer collecting a reimbursement fee [~~cost~~] under  
 8 this section shall deposit the fee [~~cost~~] in the county treasury in  
 9 accordance with Article 103.004, Code of Criminal Procedure.

10 (d) An officer who collects a reimbursement fee [~~cost~~] due  
 11 under this section shall:

12 (1) keep separate records of the funds collected; and

13 (2) file the reports required by Article 103.005, Code  
 14 of Criminal Procedure.

15 (f) A surety paying a reimbursement fee [~~cost~~] under  
 16 Subsection (b) may apply for and is entitled to a refund of the fee  
 17 [~~cost~~] not later than the 181st day after the date the state  
 18 declines to prosecute an individual or the grand jury declines to  
 19 indict an individual.

20 SECTION 2.44. The heading to Section 76.015, Government  
 21 Code, is amended to read as follows:

22 Sec. 76.015. REIMBURSEMENT [~~ADMINISTRATIVE~~] FEE.

23 SECTION 2.45. Section 76.015(c), Government Code, is  
 24 amended to read as follows:

25 (c) A department may assess a reasonable reimbursement  
 26 [~~administrative~~] fee of not less than \$25 and not more than \$60 per  
 27 month on an individual who participates in a program operated by the

1 department or receives services from the department and who is not  
2 paying a monthly reimbursement fee under Article 42A.652, Code of  
3 Criminal Procedure.

4 SECTION 2.46. Section 123.004, Government Code, is amended  
5 to read as follows:

6 Sec. 123.004. REIMBURSEMENT FEES. (a) A drug court  
7 program established under this chapter may collect from a  
8 participant in the program:

9 (1) a reasonable reimbursement fee for the program  
10 [~~fee~~] not to exceed \$1,000; and

11 (2) an alcohol or controlled substance testing,  
12 counseling, and treatment reimbursement fee in an amount necessary  
13 to cover the costs of the testing, counseling, and treatment.

14 (b) Reimbursement fees [~~Fees~~] collected under this section  
15 may be paid on a periodic basis or on a deferred payment schedule at  
16 the discretion of the judge, magistrate, or coordinator. The fees  
17 must be:

18 (1) based on the participant's ability to pay; and

19 (2) used only for purposes specific to the program.

20 SECTION 2.47. Section 124.005, Government Code, is amended  
21 to read as follows:

22 Sec. 124.005. REIMBURSEMENT FEES. (a) A veterans  
23 treatment court program established under this chapter may collect  
24 from a participant in the program:

25 (1) a reasonable reimbursement fee for the program  
26 [~~fee~~] not to exceed \$1,000; and

27 (2) a testing, counseling, and treatment



1 reimbursement fee in an amount necessary to cover the costs of any  
2 testing, counseling, or treatment performed or provided under the  
3 program.

4 (b) Reimbursement fees [~~Fees~~] collected under this section  
5 may be paid on a periodic basis or on a deferred payment schedule at  
6 the discretion of the judge, magistrate, or coordinator. The fees  
7 must be:

8 (1) based on the participant's ability to pay; and

9 (2) used only for purposes specific to the program.

10 SECTION 2.48. Section 126.006, Government Code, is amended  
11 to read as follows:

12 Sec. 126.006. REIMBURSEMENT FEES. (a) A commercially  
13 sexually exploited persons court program established under this  
14 chapter may collect from a participant in the program a  
15 nonrefundable reimbursement fee for the program [~~fee~~] in a  
16 reasonable amount not to exceed \$1,000, from which the following  
17 must be paid:

18 (1) a counseling and services reimbursement fee in an  
19 amount necessary to cover the costs of the counseling and services  
20 provided by the program; and

21 ~~(2) [a victim services fee in an amount equal to 10~~  
22 ~~percent of the amount paid under Subdivision (1), to be deposited to~~  
23 ~~the credit of the general revenue fund to be appropriated only to~~  
24 ~~cover costs associated with the grant program described by Section~~  
25 ~~531.383, and~~

26 [~~(3)~~] a law enforcement training reimbursement fee, in  
27 an amount equal to five percent of the total amount paid under

Subdivision (1), to be deposited to the credit of the treasury of the county or municipality that established the program to cover costs associated with the provision of training to law enforcement personnel on domestic violence, prostitution, and the trafficking of persons.

(b) Reimbursement fees [~~Fees~~] collected under this section may be paid on a periodic basis or on a deferred payment schedule at the discretion of the judge, magistrate, or coordinator. The fees must be based on the participant's ability to pay.

SECTION 2.49. Section 129.006, Government Code, is amended to read as follows:

Sec. 129.006. REIMBURSEMENT FEES. (a) A public safety employees treatment court program established under this chapter may collect from a participant in the program:

(1) a reasonable reimbursement fee for the program [~~fee~~] not to exceed \$1,000; and

(2) a testing, counseling, and treatment reimbursement fee in an amount necessary to cover the costs of any testing, counseling, or treatment performed or provided under the program.

(b) Reimbursement fees [~~Fees~~] collected under this section may be paid on a periodic basis or on a deferred payment schedule at the discretion of the judge, magistrate, or coordinator. The fees must be:

(1) based on the participant's ability to pay; and

(2) used only for purposes specific to the program.

SECTION 2.50. Section 161.255(b), Health and Safety Code,

is amended to read as follows:

(b) The court shall charge an applicant a reimbursement fee in the amount of \$30 for each application for expungement filed under this section to defray the cost of notifying state agencies of orders of expungement under this section.

SECTION 2.51. Section 169.005, Health and Safety Code, is amended to read as follows:

Sec. 169.005. REIMBURSEMENT FEES. (a) A first offender prostitution prevention program established under this chapter may collect from a participant in the program a nonrefundable reimbursement ~~[program]~~ fee for the program in a reasonable amount not to exceed \$1,000, from which the following must be paid:

(1) a counseling and services reimbursement fee in an amount necessary to cover the costs of the counseling and services provided by the program; and

~~(2) [a victim services fee in an amount equal to 10 percent of the amount paid under Subdivision (1), to be deposited to the credit of the general revenue fund to be appropriated only to cover costs associated with the grant program described by Section 531.383, Government Code, and~~

~~(3)]~~ a law enforcement training reimbursement fee, in an amount equal to five percent of the total amount paid under Subdivision (1), to be deposited to the credit of the treasury of the county or municipality that established the program to cover costs associated with the provision of training to law enforcement personnel on domestic violence, prostitution, and the trafficking of persons.

1           (b) Reimbursement fees [~~Fees~~] collected under this section  
2 may be paid on a periodic basis or on a deferred payment schedule at  
3 the discretion of the judge, magistrate, or program director  
4 administering the first offender prostitution prevention program.  
5 The fees must be based on the participant's ability to pay.

6           SECTION 2.52. Section 132.002, Local Government Code, is  
7 amended to read as follows:

8           Sec. 132.002. PAYMENT OF FEES OR COSTS BY CREDIT CARD OR  
9 ELECTRONIC MEANS. (a) The commissioners court of a county may  
10 authorize a county or precinct officer who collects fees, fines,  
11 court costs, or other charges on behalf of the county or the state  
12 to accept payment by credit card, the electronic processing of  
13 checks, or other electronic means of a fee, fine, court costs, or  
14 other charge. The commissioners court may also authorize a county  
15 or precinct officer to collect and retain a reimbursement fee for  
16 processing the payment by credit card, the electronic processing of  
17 checks, or other electronic means.

18           (b) The governing body of a municipality may authorize a  
19 municipal official who collects fees, fines, court costs, or other  
20 charges to:

21                   (1) accept payment by credit card of a fee, fine, court  
22 cost, or other charge; and

23                   (2) collect a reimbursement fee for processing the  
24 payment by credit card.

25           (c) The governing body of a municipality may authorize the  
26 acceptance of payment by credit card without requiring collection  
27 of a reimbursement fee.

1 (d) The commissioners court may authorize a county or  
2 precinct officer who collects fees, fines, court costs, or other  
3 charges on behalf of the county or the state to accept payment by  
4 electronic means of a fee, fine, court costs, or other charge. The  
5 commissioners court may also authorize a county or precinct officer  
6 to collect and retain a reimbursement [~~handling~~] fee for processing  
7 the payment by electronic means.

8 (e) A commissioners court may authorize the acceptance of  
9 payment by credit card or by electronic means without requiring  
10 collection of a reimbursement fee.

11 (f) The director of a community supervision and corrections  
12 department, with the approval of the judges described by Section  
13 76.002, Government Code, may authorize a community supervision  
14 official who collects fees, fines, court costs, and other charges  
15 to:

16 (1) accept payment by debit card or credit card of a  
17 fee, fine, court cost, or other charge; and

18 (2) collect a reimbursement fee for processing the  
19 payment by debit card or credit card.

20 SECTION 2.53. Section 132.003, Local Government Code, is  
21 amended to read as follows:

22 Sec. 132.003. REIMBURSEMENT [~~PROCESSING OR HANDLING~~] FEE  
23 FOR PROCESSING CERTAIN PAYMENTS. (a) The commissioners court  
24 shall set a reimbursement [~~processing~~] fee in an amount that is  
25 reasonably related to the expense incurred by the county or  
26 precinct officer in processing the payment by credit card.  
27 However, the court may not set the [~~processing~~] fee authorized by

1 this subsection in an amount that exceeds five percent of the amount  
2 of the fee, court cost, or other charge being paid.

3 (b) The governing body of a municipality shall set the  
4 reimbursement [~~processing~~] fee in an amount that is reasonably  
5 related to the expense incurred by the municipal official in  
6 processing the payment by credit card. However, the governing body  
7 may not set the [~~processing~~] fee authorized by this subsection in an  
8 amount that exceeds five percent of the amount of the fee, fine,  
9 court cost, or other charge being paid.

10 (c) If the commissioners court authorizes collection of a  
11 reimbursement [~~handling~~] fee for processing a payment by electronic  
12 means under Section 132.002(d) [~~132.002(c)~~], the reimbursement fee  
13 shall be set:

14 (1) at a flat rate that does not exceed \$5 for each  
15 payment transaction; or

16 (2) at a rate that is reasonably related to the expense  
17 incurred by the county or precinct officer in processing a payment  
18 by electronic means and that does not exceed five percent of the  
19 amount of the fee, court cost, or other charge being paid.

20 (d) In addition to the reimbursement fee set under  
21 Subsection (a), the commissioners court of a county may authorize a  
22 county or precinct officer to collect on behalf of the county from a  
23 person making payment by credit card a reimbursement fee in an  
24 amount equal to the amount of any transaction fee charged to the  
25 county by a vendor providing services in connection with payments  
26 made by credit card. The limitation prescribed by Subsection (a) on  
27 the amount of a reimbursement fee under that subsection does not

1 apply to a reimbursement fee collected under this subsection.

2 SECTION 2.54. Section 133.103, Local Government Code, is  
3 transferred to Subchapter A, Chapter 102, Code of Criminal  
4 Procedure, redesignated as Article 102.030, Code of Criminal  
5 Procedure, and amended to read as follows:

6 Art. 102.030 [~~Sec. 133.103~~]. TIME PAYMENT REIMBURSEMENT  
7 FEE. (a) A person convicted of an offense shall pay[, ~~in addition~~  
8 ~~to all other costs,~~] a reimbursement fee of \$15 [~~\$25~~] if the person:

9 (1) has been convicted of a felony or misdemeanor; and

10 (2) pays any part of a fine, court costs, or  
11 restitution, or another reimbursement fee, on or after the 31st day  
12 after the date on which a judgment is entered assessing the fine,  
13 court costs, [~~or~~] restitution, or other reimbursement fee.

14 (b) The [~~Except as provided by Subsection (c-1), the~~  
15 ~~treasurer shall send 50 percent of the fees collected under this~~  
16 ~~section to the comptroller. The comptroller shall deposit the fees~~  
17 ~~received to the credit of the general revenue fund.~~

18 [~~(c) Except as provided by Subsection (c-1), the~~] treasurer  
19 shall deposit [~~10 percent of~~] the reimbursement fees collected  
20 under this section in a separate account in the general fund of the  
21 county or municipality to be used for the purpose of improving the  
22 collection of outstanding court costs, fines, reimbursement fees,  
23 or restitution or improving the efficiency of the administration of  
24 justice in the county or municipality. The county or municipality  
25 shall prioritize the needs of the judicial officer who collected  
26 the fees when making expenditures under this subsection and use the  
27 money deposited to provide for those needs.

~~[(c-1) The treasurer shall send to the comptroller 100 percent of the fees collected under this section if, during an audit under Article 103.0033(j), Code of Criminal Procedure, the Office of Court Administration of the Texas Judicial System determines that the municipality or county is not in compliance with Article 103.0033, Code of Criminal Procedure, and is unable to reestablish compliance on or before the 180th day after the date the municipality or county receives written notice of noncompliance from the office. After any period in which the treasurer is required under this subsection to send 100 percent of the fees collected under this section to the comptroller, the municipality or county shall begin once more to dispose of fees as otherwise provided by this section on receipt of a written confirmation from the office that the municipality or county is in compliance with Article 103.0033, Code of Criminal Procedure.]~~

~~[(d) The treasurer shall deposit the remainder of the fees collected under this section in the general revenue account of the county or municipality.]~~

SECTION 2.55. The heading to Section 31.127, Parks and Wildlife Code, is amended to read as follows:

Sec. 31.127. PENALTIES AND FINES.

SECTION 2.56. Section 31.127(f), Parks and Wildlife Code, is amended to read as follows:

(f) A court may dismiss a charge of operating a vessel with an expired certificate of number under Section 31.021 if:

(1) the defendant remedies the defect not later than the 10th working day after the date of the offense and pays a fine



1 ~~[an administrative fee]~~ not to exceed \$10; and

2 (2) the certificate of number has not been expired for  
3 more than 60 days.

4 SECTION 2.57. The heading to Section [284.2031](#),  
5 Transportation Code, is amended to read as follows:

6 Sec. 284.2031. CIVIL AND CRIMINAL ENFORCEMENT: FINE  
7 ~~[COST]~~.

8 SECTION 2.58. Section [284.2031](#)(a), Transportation Code, is  
9 amended to read as follows:

10 (a) A county may impose, in addition to other costs, a fine  
11 of \$1 ~~[as a court cost]~~ on conviction to a defendant convicted of an  
12 offense under Section [284.070](#), [284.0701](#), or [284.203](#) in an action  
13 brought by the county or district attorney.

14 SECTION 2.59. The heading to Section [284.2032](#),  
15 Transportation Code, is amended to read as follows:

16 Sec. 284.2032. FINE ~~[ADDITIONAL ADMINISTRATIVE COST]~~ IN  
17 CERTAIN COUNTIES.

18 SECTION 2.60. Section [284.2032](#)(a), Transportation Code, is  
19 amended to read as follows:

20 (a) A county with a population of 3.3 million or more may  
21 impose a fine of ~~[, in addition to other costs,]~~ \$1 ~~[as an~~  
22 ~~administrative cost associated with collecting a toll or charge]~~  
23 for each event of nonpayment of a required toll or charge imposed  
24 under Section [284.069](#).

25 SECTION 2.61. Sections [502.010](#)(f), (f-1), (i), and (j),  
26 Transportation Code, are amended to read as follows:

27 (f) Except as otherwise provided by this section, a county

1 that has a contract under Subsection (b) may impose an additional  
2 reimbursement fee of \$20 to:

3 (1) a person who fails to pay a fine, fee, or tax to the  
4 county by the date on which the fine, fee, or tax is due; or

5 (2) a person who fails to appear in connection with a  
6 complaint, citation, information, or indictment in a court in which  
7 a criminal proceeding is pending against the owner.

8 (f-1) The additional reimbursement fee may be used only to  
9 reimburse the department or the county assessor-collector for its  
10 expenses for providing services under the contract, or another  
11 county department for expenses related to services under the  
12 contract.

13 (i) A municipal court judge or justice of the peace who has  
14 jurisdiction over the underlying offense may waive an additional  
15 reimbursement fee imposed under Subsection (f) if the judge or  
16 justice makes a finding that the defendant is economically unable  
17 to pay the fee or that good cause exists for the waiver.

18 (j) If a county assessor-collector is notified that the  
19 court having jurisdiction over the underlying offense has waived  
20 the past due fine or fee, including a reimbursement fee, due to the  
21 defendant's indigency, the county may not impose an additional  
22 reimbursement fee on the defendant under Subsection (f).

23 SECTION 2.62. Section 502.407(b), Transportation Code, is  
24 amended to read as follows:

25 (b) A justice of the peace or municipal court judge having  
26 jurisdiction of the offense may:

27 (1) dismiss a charge of driving with an expired motor

vehicle registration if the defendant:

(A) remedies the defect not later than the 20th working day after the date of the offense or before the defendant's first court appearance date, whichever is later; and

(B) establishes that the fee prescribed by Section 502.045 has been paid; and

(2) assess a fine [~~an administrative fee~~] not to exceed \$20 when the charge is dismissed.

SECTION 2.63. Section 502.473(d), Transportation Code, is amended to read as follows:

(d) A court may dismiss a charge brought under Subsection (a) if the defendant pays a fine [~~an administrative fee~~] not to exceed \$10 and:

(1) remedies the defect before the defendant's first court appearance; or

(2) shows that the motor vehicle was issued a registration insignia by the department that was attached to the motor vehicle, establishing that the vehicle was registered for the period during which the offense was committed.

SECTION 2.64. Section 502.475(c), Transportation Code, is amended to read as follows:

(c) A court may dismiss a charge brought under Subsection (a)(3) if the defendant:

(1) remedies the defect before the defendant's first court appearance; and

(2) pays a fine [~~an administrative fee~~] not to exceed \$10.

SECTION 2.65. Section 504.943(d), Transportation Code, is amended to read as follows:

(d) A court may dismiss a charge brought under Subsection (a)(1) if the defendant:

(1) remedies the defect before the defendant's first court appearance; and

(2) pays a fine [~~an administrative fee~~] not to exceed \$10.

SECTION 2.66. Section 504.945(d), Transportation Code, is amended to read as follows:

(d) A court may dismiss a charge brought under Subsection (a)(3), (5), (6), or (7) if the defendant:

(1) remedies the defect before the defendant's first court appearance;

(2) pays a fine [~~an administrative fee~~] not to exceed \$10; and

(3) shows that the vehicle was issued a plate by the department that was attached to the vehicle, establishing that the vehicle was registered for the period during which the offense was committed.

SECTION 2.67. Section 521.026(b), Transportation Code, is amended to read as follows:

(b) The judge may assess the defendant a fine [~~an administrative fee~~] not to exceed \$20 when the charge of driving with an expired driver's license is dismissed under Subsection (a).

SECTION 2.68. Section 521.054(d), Transportation Code, is amended to read as follows:

1 (d) A court may dismiss a charge for a violation of this  
2 section if the defendant remedies the defect not later than the 20th  
3 working day after the date of the offense and pays a fine [~~an~~  
4 ~~administrative fee~~] not to exceed \$20. The court may waive the fine  
5 [~~administrative fee~~] if the waiver is in the interest of justice.

6 SECTION 2.69. Section 521.221(d), Transportation Code, is  
7 amended to read as follows:

8 (d) A court may dismiss a charge for a violation of this  
9 section if:

10 (1) the restriction or endorsement was imposed:

11 (A) because of a physical condition that was  
12 surgically or otherwise medically corrected before the date of the  
13 offense; or

14 (B) in error and that fact is established by the  
15 defendant;

16 (2) the department removes the restriction or  
17 endorsement before the defendant's first court appearance; and

18 (3) the defendant pays a fine [~~an administrative fee~~]  
19 not to exceed \$10.

20 SECTION 2.70. The heading to Section 542.403,  
21 Transportation Code, is amended to read as follows:

22 Sec. 542.403. FINES [~~COURT COSTS~~].

23 SECTION 2.71. Sections 542.403(a) and (b), Transportation  
24 Code, are amended to read as follows:

25 (a) In addition to other costs, the court shall order a  
26 person convicted of a misdemeanor under this subtitle to [~~shall~~]  
27 pay a fine of \$3 [~~as a cost of court~~].

(b) The officer who collects a fine [~~cost~~] under this section shall:

(1) deposit in the municipal treasury a fine [~~cost~~] collected in a municipal court case; and

(2) deposit in the county treasury a fine [~~cost~~] collected in a justice court case or in a county court case, including a case appealed from a justice or municipal court.

SECTION 2.72. Section 547.004(c), Transportation Code, is amended to read as follows:

(c) A court may dismiss a charge brought under this section if the defendant:

(1) remedies the defect before the defendant's first court appearance; and

(2) pays a fine [~~an administrative fee~~] not to exceed \$10.

SECTION 2.73. Section 548.605(e), Transportation Code, is amended to read as follows:

(e) A court shall:

(1) dismiss a charge under this section if the defendant remedies the defect:

(A) not later than the 20th working day after the date of the citation or before the defendant's first court appearance date, whichever is later; and

(B) not later than the 40th working day after the applicable deadline provided by this chapter, Chapter 382, Health and Safety Code, or the department's administrative rules regarding inspection requirements; and

(2) assess a fine [~~an administrative fee~~] not to exceed \$20 when the charge has been remedied under Subdivision (1).

SECTION 2.74. Section 601.263, Transportation Code, is amended to read as follows:

Sec. 601.263. REIMBURSEMENT FEE [~~COST~~] FOR IMPOUNDMENT. The court shall impose against the defendant a reimbursement fee [~~cost~~] of \$15 a day for each day of impoundment of the defendant's vehicle.

SECTION 2.75. The heading to Section 681.013, Transportation Code, is amended to read as follows:

Sec. 681.013. DISMISSAL OF CHARGE; FINE [~~ADMINISTRATIVE FEE~~].

SECTION 2.76. Section 681.013(b), Transportation Code, is amended to read as follows:

(b) The court shall:

(1) dismiss a charge for an offense under Section 681.011(b)(1) if:

(A) the vehicle displayed a disabled parking placard that was not valid as expired;

(B) the defendant remedies the defect by renewing the expired disabled parking placard within 20 working days from the date of the offense or before the defendant's first court appearance date, whichever is later; and

(C) the disabled parking placard has not been expired for more than 60 days; and

(2) assess a fine [~~an administrative fee~~] not to exceed \$20 when the charge has been remedied.

SECTION 2.77. Section 702.003(e-1), Transportation Code, is amended to read as follows:

(e-1) A municipality that has a contract under Subsection (b) may impose an additional \$20 reimbursement fee to a person who has an outstanding warrant from the municipality for failure to appear or failure to pay a fine on a complaint that involves the violation of a traffic law. The additional reimbursement fee may be used only to reimburse the department or the county assessor-collector for its expenses for providing services under the contract, or another county department for expenses related to services under the contract.

SECTION 2.78. Section 706.006, Transportation Code, is amended to read as follows:

Sec. 706.006. PAYMENT OF REIMBURSEMENT [~~ADMINISTRATIVE~~] FEE. (a) Except as provided by Subsection (d), a person who fails to appear for a complaint or citation for an offense described by Section 706.002(a) shall be required to pay a reimbursement [~~an administrative~~] fee of \$10 [~~\$30~~] for each complaint or citation reported to the department under this chapter, unless:

(1) the person is acquitted of the charges for which the person failed to appear;

(2) the charges on which the person failed to appear were dismissed with prejudice by motion of the appropriate prosecuting attorney for lack of evidence;

(3) the failure to appear report was sent to the department in error; or

(4) the case regarding the complaint or citation is



1 closed and the failure to appear report has been destroyed in  
2 accordance with the applicable political subdivision's records  
3 retention policy.

4 (a-1) A person who is required to pay a reimbursement fee  
5 under Subsection (a) shall pay the fee when:

6 (1) the court enters judgment on the underlying  
7 offense reported to the department;

8 (2) the underlying offense is dismissed, other than a  
9 dismissal described by Subsection (a)(2); or

10 (3) bond or other security is posted to reinstate the  
11 charge for which the warrant was issued.

12 (b) Except as provided by Subsection (d), a person who fails  
13 to pay or satisfy a judgment ordering the payment of a fine and cost  
14 in the manner the court orders shall be required to pay a  
15 reimbursement [~~an administrative~~] fee of \$10 [~~\$30~~].

16 (c) The department may deny renewal of the driver's license  
17 of a person who does not pay a reimbursement fee due under this  
18 section until the fee is paid. The fee required by this section is  
19 in addition to any other fee required by law.

20 (d) If the court having jurisdiction over the underlying  
21 offense makes a finding that the person is indigent, the person may  
22 not be required to pay a reimbursement [~~an administrative~~] fee  
23 under this section. For purposes of this subsection, a person is  
24 presumed to be indigent if the person:

25 (1) is required to attend school full time under  
26 Section 25.085, Education Code;

27 (2) is a member of a household with a total annual

1 income that is below 125 percent of the applicable income level  
2 established by the federal poverty guidelines; or

3 (3) receives assistance from:

4 (A) the financial assistance program established  
5 under Chapter 31, Human Resources Code;

6 (B) the medical assistance program under Chapter  
7 32, Human Resources Code;

8 (C) the supplemental nutrition assistance  
9 program established under Chapter 33, Human Resources Code;

10 (D) the federal special supplemental nutrition  
11 program for women, infants, and children authorized by 42 U.S.C.  
12 Section 1786; or

13 (E) the child health plan program under Chapter  
14 62, Health and Safety Code.

15 SECTION 2.79. The heading to Section 706.007,  
16 Transportation Code, is amended to read as follows:

17 Sec. 706.007. [~~RECORDS RELATING TO FEES,~~] DISPOSITION OF  
18 FEES.

19 SECTION 2.80. Sections 706.007(a) and (d), Transportation  
20 Code, are amended to read as follows:

21 (a) An officer collecting a reimbursement fee under Section  
22 706.006 shall remit the money to the municipal or county treasurer,  
23 as applicable [~~keep records and deposit the money as provided by~~  
24 ~~Subchapter B, Chapter 133, Local Government Code~~].

25 (d) The [~~Of each fee collected under Section 706.006, the~~]  
26 custodian of a municipal or county treasury shall[+]

27 [~~(1) send \$20 to the comptroller on or before the last~~]

~~day of each calendar quarter, and~~

~~[(2)]~~ deposit the money collected under Section  
706.006 ~~[remainder]~~ to the credit of the general fund of the  
municipality or county for the purposes of Section 706.008.

ARTICLE 3. ADMINISTRATIVE, CIVIL, AND CRIMINAL CONSEQUENCES  
IMPOSED ON PERSONS ARRESTED FOR, CHARGED WITH, OR CONVICTED OF  
CERTAIN CRIMINAL OFFENSES

SECTION 3.01. Chapter 1, Code of Criminal Procedure, is  
amended by adding Article 1.053 to read as follows:

Art. 1.053. PRESENT ABILITY TO PAY. Except as otherwise  
specifically provided, in determining a defendant's ability to pay  
for any purpose, the court shall consider only the defendant's  
present ability to pay.

SECTION 3.02. Article 43.015, Code of Criminal Procedure,  
is amended by adding Subdivision (3) to read as follows:

(3) "Cost" includes any fee imposed on a defendant by  
the court at the time a judgment is entered.

SECTION 3.03. Chapter 43, Code of Criminal Procedure, is  
amended by adding Article 43.035 to read as follows:

Art. 43.035. RECONSIDERATION OF FINE OR COSTS. (a) If a  
defendant notifies the court that the defendant has difficulty  
paying the fine and costs in compliance with the judgment, the court  
shall hold a hearing to determine whether that portion of the  
judgment imposes an undue hardship on the defendant.

(b) For purposes of Subsection (a), a defendant may notify  
the court by:

(1) voluntarily appearing and informing the court or

1 the clerk of the court in the manner established by the court for  
2 that purpose;

3 (2) filing a motion with the court;  
4 (3) mailing a letter to the court; or  
5 (4) any other method established by the court for that  
6 purpose.

7 (c) If the court determines at the hearing under Subsection  
8 (a) that the portion of the judgment regarding the fine and costs  
9 imposes an undue hardship on the defendant, the court shall  
10 consider whether the fine and costs should be satisfied through one  
11 or more methods listed under Article 42.15(a-1).

12 (d) The court may decline to hold a hearing under Subsection  
13 (a) if the court:

14 (1) previously held a hearing under that subsection  
15 with respect to the case and is able to determine without holding a  
16 hearing that the portion of the judgment regarding the fine and  
17 costs does not impose an undue hardship on the defendant; or

18 (2) is able to determine without holding a hearing  
19 that:

20 (A) the applicable portion of the judgment  
21 imposes an undue hardship on the defendant; and

22 (B) the fine and costs should be satisfied  
23 through one or more methods listed under Article 42.15(a-1).

24 (e) The court retains jurisdiction for the purpose of making  
25 a determination under this article.

26 SECTION 3.04. The heading to Article 43.05, Code of  
27 Criminal Procedure, is amended to read as follows:

1        Art. 43.05. ISSUANCE AND RECALL OF CAPIAS PRO FINE [~~SHALL~~  
2 ~~RECITE~~].

3        SECTION 3.05. Article 43.05(a-1), Code of Criminal  
4 Procedure, as added by Chapter 1127 (S.B. 1913), Acts of the 85th  
5 Legislature, Regular Session, 2017, is amended to read as follows:

6        (a-1) A court may not issue a capias pro fine for the  
7 defendant's failure to satisfy the judgment according to its terms  
8 unless the court holds a hearing to determine whether the judgment  
9 imposes an undue hardship on the defendant [~~on the defendant's~~  
10 ~~ability to satisfy the judgment~~] and the defendant fails to:

11            (1) [~~the defendant fails to~~] appear at the hearing; or  
12            (2) comply with an order issued under Subsection (a-3)  
13 as a result of the hearing [~~based on evidence presented at the~~  
14 ~~hearing, the court determines that the capias pro fine should be~~  
15 ~~issued~~].

16        SECTION 3.06. Article 43.05, Code of Criminal Procedure, is  
17 amended by amending Subsection (a-2) and adding Subsections (a-3)  
18 and (a-4) to read as follows:

19        (a-2) If the court determines at the hearing under  
20 Subsection (a-1) that the judgment imposes an undue hardship on the  
21 defendant, the court shall determine whether the fine and costs  
22 should be satisfied through one or more methods listed under  
23 Article 42.15(a-1). The court retains jurisdiction for the purpose  
24 of making a determination under this subsection.

25        (a-3) If the court determines at the hearing under  
26 Subsection (a-1) that the judgment does not impose an undue  
27 hardship on the defendant, the court shall order the defendant to

1 comply with the judgment not later than the 30th day after the date  
2 the determination is made.

3 (a-4) The court shall recall a capias pro fine if, before  
4 the capias pro fine is executed, the defendant:

5 (1) provides notice to the court under Article 43.035  
6 and a hearing is set under that article; or

7 (2) ~~[the defendant]~~ voluntarily appears and makes a  
8 good faith effort to resolve the capias pro fine ~~[amount owed; and~~

9 ~~[(2) the amount owed is resolved in any manner~~  
10 ~~authorized by this code].~~

11 SECTION 3.07. Article 43.091, Code of Criminal Procedure,  
12 is amended to read as follows:

13 Art. 43.091. WAIVER OF PAYMENT OF FINES AND COSTS FOR  
14 CERTAIN DEFENDANTS AND FOR CHILDREN. (a) A court may waive  
15 payment of all or part of a fine ~~[or costs]~~ imposed on a defendant if  
16 the court determines that:

17 (1) the defendant is indigent or does not have  
18 sufficient resources or income to pay all or part of the fine ~~[or~~  
19 ~~costs]~~ or was, at the time the offense was committed, a child as  
20 defined by Article 45.058(h); and

21 (2) each alternative method of discharging the fine  
22 ~~[or cost]~~ under Article 43.09 or 42.15 would impose an undue  
23 hardship on the defendant.

24 (b) A determination of undue hardship made under Subsection  
25 (a)(2) is in the court's discretion. In making that determination,  
26 the court may consider, as applicable, the defendant's:

27 (1) significant physical or mental impairment or

1 disability;

2 (2) pregnancy and childbirth;

3 (3) substantial family commitments or  
4 responsibilities, including child or dependent care;

5 (4) work responsibilities and hours;

6 (5) transportation limitations;

7 (6) homelessness or housing insecurity; and

8 (7) any other factor the court determines relevant.

9 (c) A court may waive payment of all or part of the costs  
10 imposed on a defendant if the court determines that the defendant:

11 (1) is indigent or does not have sufficient resources  
12 or income to pay all or part of the costs; or

13 (2) was, at the time the offense was committed, a child  
14 as defined by Article 45.058(h).

15 (d) This subsection applies only to a defendant placed on  
16 community supervision, including deferred adjudication community  
17 supervision, whose fine or costs are wholly or partly waived under  
18 this article. At any time during the defendant's period of  
19 community supervision, the court, on the court's own motion or by  
20 motion of the attorney representing the state, may reconsider the  
21 waiver of the fine or costs. After providing written notice to the  
22 defendant and an opportunity for the defendant to present  
23 information relevant to the defendant's ability to pay, the court  
24 may order the defendant to pay all or part of the waived amount of  
25 the fine or costs only if the court determines that the defendant  
26 has sufficient resources or income to pay that amount.

27 SECTION 3.08. Subchapter A, Chapter 45, Code of Criminal

Procedure, is amended by adding Article 45.004 to read as follows:

Art. 45.004. GENERAL DEFINITION. In this chapter, "cost" includes any fee imposed on a defendant by the justice or judge at the time a judgment is entered.

SECTION 3.09. Subchapter B, Chapter 45, Code of Criminal Procedure, is amended by adding Articles 45.0201 and 45.0445 to read as follows:

Art. 45.0201. APPEARANCE BY TELEPHONE OR VIDEOCONFERENCE. If the justice or judge determines that requiring a defendant to appear before the justice or judge in person for a hearing under Article 45.0445 or 45.045 would impose an undue hardship on the defendant, the justice or judge may allow the defendant to appear by telephone or videoconference.

Art. 45.0445. RECONSIDERATION OF FINE OR COSTS. (a) If the defendant notifies the justice or judge that the defendant has difficulty paying the fine and costs in compliance with the judgment, the justice or judge shall hold a hearing to determine whether the judgment imposes an undue hardship on the defendant.

(b) For purposes of Subsection (a), a defendant may notify the justice or judge by:

(1) voluntarily appearing and informing the justice or judge or the clerk of the court in the manner established by the justice or judge for that purpose;

(2) filing a motion with the justice or judge;

(3) mailing a letter to the justice or judge; or

(4) any other method established by the justice or judge for that purpose.



1        (c) If the justice or judge determines at the hearing under  
2 Subsection (a) that the judgment imposes an undue hardship on the  
3 defendant, the justice or judge shall consider whether to allow the  
4 defendant to satisfy the fine and costs through one or more methods  
5 listed under Article 45.041(a-1).

6        (d) The justice or judge may decline to hold a hearing under  
7 Subsection (a) if the justice or judge:

8                (1) previously held a hearing under that subsection  
9 with respect to the case and is able to determine without holding a  
10 hearing that the judgment does not impose an undue hardship on the  
11 defendant; or

12                (2) is able to determine without holding a hearing  
13 that:

14                        (A) the judgment imposes an undue hardship on the  
15 defendant; and

16                        (B) the fine and costs should be satisfied  
17 through one or more methods listed under Article 45.041(a-1).

18        (e) The justice or judge retains jurisdiction for the  
19 purpose of making a determination under this article.

20        SECTION 3.10. Article 45.045(a-2), Code of Criminal  
21 Procedure, as added by Chapter 1127 (S.B. 1913), Acts of the 85th  
22 Legislature, Regular Session, 2017, is amended to read as follows:

23        (a-2) The court may not issue a capias pro fine for the  
24 defendant's failure to satisfy the judgment according to its terms  
25 unless the court holds a hearing to determine whether the judgment  
26 imposes an undue hardship on the defendant [~~on the defendant's~~  
27 ~~ability to satisfy the judgment~~] and the defendant fails to:

1           (1) ~~[the defendant fails to]~~ appear at the hearing; or

2           (2) comply with an order issued under Subsection (a-4)  
3 as a result of the hearing ~~[based on evidence presented at the~~  
4 ~~hearing, the court determines that the capias pro fine should be~~  
5 ~~issued]~~.

6           SECTION 3.11. Article 45.045, Code of Criminal Procedure,  
7 is amended by amending Subsection (a-3) and adding Subsections  
8 (a-4) and (a-5) to read as follows:

9           (a-3) If the justice or judge determines at the hearing  
10 under Subsection (a-2) that the judgment imposes an undue hardship  
11 on the defendant, the justice or judge shall determine whether the  
12 fine and costs should be satisfied through one or more methods  
13 listed under Article 45.041(a-1). The justice or judge retains  
14 jurisdiction for the purpose of making a determination under this  
15 subsection.

16           (a-4) If the justice or judge determines at the hearing  
17 under Subsection (a-2) that the judgment does not impose an undue  
18 hardship on the defendant, the justice or judge shall order the  
19 defendant to comply with the judgment not later than the 30th day  
20 after the date the determination is made.

21           (a-5) The court shall recall a capias pro fine if, before  
22 the capias pro fine is executed, the defendant:

23           (1) provides notice to the justice or judge under  
24 Article 45.0445 and a hearing is set under that article; or

25           (2) ~~[the defendant]~~ voluntarily appears and makes a  
26 good faith effort to resolve the capias pro fine ~~[amount owed, and~~

27           ~~[(2) the amount owed is resolved in any manner~~

~~authorized by this chapter].~~

SECTION 3.12. Article 45.0491, Code of Criminal Procedure, is amended to read as follows:

Art. 45.0491. WAIVER OF PAYMENT OF FINES AND COSTS FOR CERTAIN DEFENDANTS AND FOR CHILDREN. (a) A municipal court, regardless of whether the court is a court of record, or a justice court may waive payment of all or part of a fine [~~or costs~~] imposed on a defendant if the court determines that:

(1) the defendant is indigent or does not have sufficient resources or income to pay all or part of the fine [~~or costs~~] or was, at the time the offense was committed, a child as defined by Article 45.058(h); and

(2) discharging the fine [~~or costs~~] under Article 45.049 or as otherwise authorized by this chapter would impose an undue hardship on the defendant.

(b) A defendant is presumed to be indigent or to not have sufficient resources or income to pay all or part of the fine or costs for purposes of Subsection (a) or (d) if the defendant:

(1) is in the conservatorship of the Department of Family and Protective Services, or was in the conservatorship of that department at the time of the offense; or

(2) is designated as a homeless child or youth or an unaccompanied youth, as those terms are defined by 42 U.S.C. Section 11434a, or was so designated at the time of the offense.

(c) A determination of undue hardship made under Subsection (a)(2) is in the court's discretion. In making that determination, the court may consider, as applicable, the defendant's:

- 1           (1) significant physical or mental impairment or  
2 disability;
- 3           (2) pregnancy and childbirth;
- 4           (3) substantial family commitments or  
5 responsibilities, including child or dependent care;
- 6           (4) work responsibilities and hours;
- 7           (5) transportation limitations;
- 8           (6) homelessness or housing insecurity; and
- 9           (7) any other factors the court determines relevant.

10       (d) A municipal court, regardless of whether the court is a  
11 court of record, or a justice court may waive payment of all or part  
12 of the costs imposed on a defendant if the court determines that the  
13 defendant:

- 14           (1) is indigent or does not have sufficient resources  
15 or income to pay all or part of the costs; or
- 16           (2) was, at the time the offense was committed, a child  
17 as defined by Article 45.058(h).

18       SECTION 3.13. The following provisions of the Code of  
19 Criminal Procedure are repealed:

- 20           (1) Article 42.15(a-1), as added by Chapter 977 (H.B.  
21 351), Acts of the 85th Legislature, Regular Session, 2017;
- 22           (2) Article 43.05(a-1), as added by Chapter 977 (H.B.  
23 351), Acts of the 85th Legislature, Regular Session, 2017;
- 24           (3) Article 45.041(a-1), as added by Chapter 977 (H.B.  
25 351), Acts of the 85th Legislature, Regular Session, 2017; and
- 26           (4) Article 45.045(a-2), as added by Chapter 977 (H.B.  
27 351), Acts of the 85th Legislature, Regular Session, 2017.

1       SECTION 3.14. Notwithstanding Section 32, Chapter 977 (H.B.  
2   351), and Section 28, Chapter 1127 (S.B. 1913), Acts of the 85th  
3   Legislature, Regular Session, 2017, Section 706.006,  
4   Transportation Code, as amended by those Acts, applies to any fee  
5   assessed on or after the effective date of this Act, regardless of  
6   whether the offense, complaint, citation, or other violation giving  
7   rise to the fee occurred before, on, or after the effective date of  
8   this Act.

9       SECTION 3.15. Articles 1.053 and 45.0201, Code of Criminal  
10   Procedure, as added by this article, apply to a proceeding that  
11   commences before, on, or after the effective date of this Act.

12       SECTION 3.16. Articles 43.035 and 45.0445, Code of Criminal  
13   Procedure, as added by this article, apply to a notification  
14   received by a court on or after the effective date of this Act,  
15   regardless of whether the judgment of conviction was entered  
16   before, on, or after the effective date of this Act.

17       SECTION 3.17. The changes in law made by this article to  
18   Articles 43.091 and 45.0491, Code of Criminal Procedure, apply to a  
19   sentencing proceeding that commences before, on, or after the  
20   effective date of this Act.

21       SECTION 3.18. The change in law made by this article to  
22   Articles 43.05 and 45.045, Code of Criminal Procedure, applies only  
23   to a capias pro fine issued on or after the effective date of this  
24   Act. A capias pro fine issued before the effective date of this Act  
25   is governed by the law in effect on the date the capias pro fine was  
26   issued, and the former law is continued in effect for that purpose.

ARTICLE 4. REPEALERS AND CONFORMING AMENDMENTS

SECTION 4.01. Section 3.506(c), Business & Commerce Code, is amended to read as follows:

(c) A person may not charge a processing fee to a drawer or indorser under this section if a reimbursement ~~[the]~~ fee has been collected under Article 102.007(e) ~~[or 102.0071]~~, Code of Criminal Procedure. If a processing fee has been collected under this section and the holder subsequently receives a reimbursement fee collected under Article 102.007(e) ~~[or 102.0071]~~, Code of Criminal Procedure, the holder shall immediately refund the fee previously collected from the drawer or indorser.

SECTION 4.02. Article 42.037, Code of Criminal Procedure, is amended by amending Subsection (g) and adding Subsections (g-1) and (g-2) to read as follows:

(g) ~~[(1)]~~ The court may require a defendant to make restitution under this article within a specified period or in specified installments. ~~[If the court requires the defendant to make restitution in specified installments, in addition to the installment payments, the court may require the defendant to pay a one-time restitution fee of \$12, \$6 of which the court shall retain for costs incurred in collecting the specified installments and \$6 of which the court shall order to be paid to the compensation to victims of crime fund.]~~

~~[(2)]~~ The end of the period or the last installment may not be later than:

(1) ~~[(A)]~~ the end of the period of probation, if probation is ordered;

1           (2) [~~(B)~~] five years after the end of the term of  
2 imprisonment imposed, if the court does not order probation; or

3           (3) [~~(C)~~] five years after the date of sentencing in  
4 any other case.

5           (g-1) [~~(3)~~] If the court does not provide otherwise, the  
6 defendant shall make restitution immediately.

7           (g-2) [~~(4)~~] Except as provided by Subsection (n), the order  
8 of restitution must require the defendant to:

9           (1) [~~(i)~~] make restitution directly to the person or  
10 agency that will accept and forward restitution payments to the  
11 victim or other person eligible for restitution under this article,  
12 including the compensation to victims of crime fund;

13           (2) [~~(ii)~~] make restitution directly to the victim or  
14 other person eligible for restitution under this article, including  
15 the compensation to victims of crime fund; or

16           (3) [~~(iii)~~] deliver the amount or property due as  
17 restitution to a community supervision and corrections department  
18 for transfer to the victim or person.

19           SECTION 4.03. Article [42.0373](#)(c), Code of Criminal  
20 Procedure, is amended to read as follows:

21           (c) The court shall, after considering the financial  
22 circumstances of the defendant, specify in a restitution order  
23 issued under Subsection (b) the manner in which the defendant must  
24 pay the restitution. The order must require restitution payments  
25 to be delivered in the manner described by Article [42.037](#)(g-2)(3)  
26 [~~[42.037](#)(g)(4)(iii)~~].

27           SECTION 4.04. Articles [45.056](#)(d) and (h), Code of Criminal

Procedure, are amended to read as follows:

(d) The ~~[Pursuant to Article 102.0174, the]~~ court or governing body may pay the salary and benefits of a juvenile case manager and the costs of training, travel, office supplies, and other necessary expenses relating to the position of the juvenile case manager from the local truancy prevention and diversion ~~[juvenile case manager]~~ fund established under Section 134.156, Local Government Code.

(h) The commissioners court or governing body of the municipality that administers a local truancy prevention and diversion ~~[juvenile case manager]~~ fund under Section 134.156, Local Government Code, ~~[Article 102.0174]~~ shall require periodic review of juvenile case managers to ensure the implementation of the rules adopted under Subsection (f).

SECTION 4.05. The heading to Chapter 102, Code of Criminal Procedure, is amended to read as follows:

CHAPTER 102. COSTS, FEES, AND FINES PAID BY DEFENDANTS

SECTION 4.06. The heading to Subchapter A, Chapter 102, Code of Criminal Procedure, is amended to read as follows:

SUBCHAPTER A. ~~[GENERAL]~~ COSTS; REIMBURSEMENT FEES; FINES

SECTION 4.07. Section 21.008(d), Government Code, is amended to read as follows:

(d) The State Board of Regional Judges is created to administer the funds appropriated to this account ~~[and to the child support and court management account of the judicial fund created by Section 21.007]~~. The board shall be composed of the nine regional administrative judges of the state, who shall have the



1 authority to organize, elect officers, and make such rules as may be  
2 necessary for the proper administration of these accounts.

3 SECTION 4.08. Section 25.0593(k), Government Code, is  
4 amended to read as follows:

5 (k) The official court reporter of a county criminal court  
6 is not required to take testimony in a case unless the judge or a  
7 party demands that testimony be taken. ~~[If the court reporter takes~~  
8 ~~testimony, the clerk shall collect a \$3 fee as costs in the case.~~  
9 ~~The fee shall be paid into the county treasury.]~~

10 SECTION 4.09. Section 25.0594(1), Government Code, is  
11 amended to read as follows:

12 (1) The official court reporter of a county criminal court  
13 of appeals is not required to take testimony in a case in which  
14 neither party nor the judge demands it. ~~[If the court reporter~~  
15 ~~takes testimony, the clerk shall collect a \$3 fee as costs in the~~  
16 ~~case. The fee shall be paid into the county treasury.]~~

17 SECTION 4.10. Section 25.1572(h), Government Code, is  
18 amended to read as follows:

19 (h) An official court reporter is not required to take  
20 testimony in a case unless the judge or a party demands that  
21 testimony be taken. In civil and probate cases in which the court  
22 reporter is required to take testimony, the clerk shall assess a \$3  
23 fee as costs in the case. The clerk shall collect the fee and  
24 deposit it in the county treasury. The court reporter shall be  
25 available for matters being considered in the county court if the  
26 parties before the court request a court reporter and the request is  
27 approved by the judge of a county court at law.

SECTION 4.11. Section 25.2223(i), Government Code, is amended to read as follows:

(i) The official court reporter of a county criminal court is entitled to the same fees and salary as a district court reporter and shall perform the same duties and take the oath of office as provided by law for district court reporters. The official court reporter for the County Criminal Court No. 1 or 3 of Tarrant County is not required to take testimony in cases in which neither a party nor the judge demands it. ~~[In cases in which testimony is taken, a fee of \$3 shall be taxed as costs in the case. The clerk collects the fee and pays it into the county treasury.]~~

SECTION 4.12. Section 25.2702(d), Government Code, is amended to read as follows:

(d) The judge of the county court at law shall appoint an official court reporter. The judge may appoint a court administrator to aid the judge in the performance of the judge's duties. The official court reporter and the court administrator of the county court at law are entitled to receive the same salary and to be paid in the same manner as the official court reporter and court administrator, respectively, of the district court in the administrative county for the court. The clerk of the court shall tax as costs, in each civil~~[-criminal-]~~ and probate case in which a record of any part of the evidence in the case is made by the reporter, a stenographer's fee of \$25. The fee shall be paid in the same manner as other costs in the case. The clerk collects the fee and pays it into the general funds of the counties.

SECTION 4.13. Section 26.007(a), Government Code, is

1 amended to read as follows:

2 (a) Beginning on the first day of the state fiscal year, the  
3 state shall annually compensate each county that collects the  
4 additional fees [~~and costs~~] under Section 51.703 in an amount equal  
5 to \$5,000 if the county judge is entitled to an annual salary  
6 supplement from the state under Section 26.006.

7 SECTION 4.14. Section 26.008(a), Government Code, is  
8 amended to read as follows:

9 (a) At the end of each state fiscal year, the comptroller  
10 shall determine the amounts deposited in the judicial fund under  
11 Section 51.703 and the amounts paid to the counties under Section  
12 26.007. If the total amount paid under Section 51.703 by all  
13 counties that collect fees [~~and costs~~] under that section exceeds  
14 the total amount paid to the counties under Section 26.007, the  
15 state shall remit the excess to the counties that collect fees [~~and~~  
16 ~~costs~~] under Section 51.703 proportionately based on the percentage  
17 of the total paid by each county.

18 SECTION 4.15. Section 30.00014(g), Government Code, is  
19 amended to read as follows:

20 (g) The defendant shall pay [~~the fee for the preparation of~~  
21 ~~the clerk's record and~~] the fee for an actual transcription of the  
22 proceedings.

23 SECTION 4.16. Section 61.0015(c), Government Code, is  
24 amended to read as follows:

25 (c) The comptroller shall pay claims for reimbursement  
26 under this section quarterly to the county treasury of each county  
27 that filed a claim from money collected under Subchapter B, Chapter

1 133, Local Government Code [~~Article 102.0045, Code of Criminal~~  
2 ~~Procedure~~], and deposited in the jury service fund.

3 SECTION 4.17. Section 101.0613, Government Code, is amended  
4 to read as follows:

5 Sec. 101.0613. DISTRICT COURT FEES AND COSTS: HUMAN  
6 RESOURCES CODE. The clerk of a district court shall collect fees  
7 and costs under the Human Resources Code as follows:

8 (1) [~~for filing a suit in Comal County (Sec. 152.0522,~~  
9 ~~Human Resources Code) . . . \$4,~~

10 [~~(2)~~] fee on filing a suit for dissolution of a  
11 marriage for services of child support department in Harris County,  
12 if authorized by the county commissioners court (Sec. 152.1074,  
13 Human Resources Code) . . . not to exceed \$12;

14 (2) [~~(3)~~] a child support service fee in Nueces County  
15 if ordered by the commissioners court and assessed by the court  
16 (Sec. 152.1844, Human Resources Code) . . . not to exceed \$5 a  
17 month payable annually in advance;

18 (3) [~~(4)~~] a service fee to be paid by a person ordered  
19 by a district court to pay child or spousal support:

20 (A) in Collin County if authorized by the  
21 juvenile board (Sec. 152.0492, Human Resources Code) . . . not to  
22 exceed \$2.50 added to first support payment each month;

23 (B) in Johnson County if authorized by the  
24 juvenile board (Sec. 152.1322, Human Resources Code) . . . \$1.00  
25 added to first support payment each month; and

26 (C) in Montague County (Sec. 152.1752, Human  
27 Resources Code) . . . \$1 if fee is ordered to be paid monthly, 50

cents if fee is ordered to be paid semimonthly or weekly;

(4) [~~(5)~~] attorney's fees as an additional cost in Montague County on a finding of contempt of court for failure to pay child or spousal support if the contempt action is initiated by the probation department (Sec. 152.1752, Human Resources Code) . . . \$15;

(5) [~~(6)~~] fee on filing a suit requesting an adoption in Montague County (Sec. 152.1752, Human Resources Code) . . . \$25;

(6) [~~(7)~~] court cost on citation for contempt of court for failure to comply with child support order in Nueces County, if authorized by the commissioners court (Sec. 152.1844, Human Resources Code) . . . not to exceed \$10;

(7) [~~(8)~~] fee on filing a suit for divorce in Orange County (Sec. 152.1873, Human Resources Code) . . . not less than \$5;

(8) [~~(9)~~] court costs on citation for contempt of court in Orange County for failure to comply with a child support order or order providing for possession of or access to a child (Sec. 152.1873, Human Resources Code) . . . amount determined by district clerk;

(9) [~~(10)~~] fee on filing a suit requesting an adoption in Orange County (Sec. 152.1874, Human Resources Code) . . . not less than \$25; and

(10) [~~(11)~~] fee on filing a suit requesting an adoption in Wichita County (Sec. 152.2496, Human Resources Code) . . . \$100.

SECTION 4.18. Section [101.141](#)(b), Government Code, is

amended to read as follows:

(b) A clerk of a justice court shall collect fees and costs under other laws as follows:

(1) the cost of a special program that a court may order a child to attend after a finding that the child committed an offense, if ordered by the court (Art. 45.057, Code of Criminal Procedure) . . . costs of the program not to exceed \$100;

(2) additional filing fees:

(A) to fund Dallas County civil court facilities (Sec. 51.705, Government Code) . . . not more than \$15;

(B) for filing any civil action or proceeding requiring a filing fee, including an appeal, and on the filing of any counterclaim, cross-action, intervention, interpleader, or third-party action requiring a filing fee, to fund civil legal services for the indigent (Sec. 133.153, Local Government Code) . . . \$6;

(C) to fund the improvement of Hays County court facilities, if authorized by the county commissioners court (Sec. 51.707, Government Code) . . . not more than \$15; and

(D) to fund the construction, renovation, or improvement of Rockwall County court facilities, if authorized by the county commissioners court (Sec. 51.709, Government Code) . . . not more than \$15;

(3) ~~[for filing a suit in Comal County (Sec. 152.0522, Human Resources Code) . . . \$1.50,~~

~~[(4)]~~ fee for hearing on probable cause for removal of a vehicle and placement in a storage facility if assessed by the

1 court (Sec. 2308.457, Occupations Code) . . . \$20; and

2           (4) ~~[(5)]~~ statewide electronic filing system fund fee  
3 (Sec. 51.851, Government Code) . . . \$10.

4           SECTION 4.19. Section 101.181, Government Code, is amended  
5 to read as follows:

6           Sec. 101.181. MUNICIPAL COURTS OF RECORD FEES AND COSTS.  
7 The clerk of a municipal court of record shall collect ~~[the~~  
8 ~~following fees and costs:~~

9           ~~[(1) from an appellant, a fee for preparation of the~~  
10 ~~clerk's record (Sec. 30.00014, Government Code) . . . \$25;~~

11           ~~[(2) from an appellant in the City of El Paso, an~~  
12 ~~appellate court docket fee (Sec. 30.00147, Government Code) . . .~~  
13 ~~\$25; and~~

14           ~~[(3)]~~ the cost of a special program that a court may  
15 order a child to attend after finding that the child committed an  
16 offense, if ordered by the court, under Article ~~[(Art.)~~ 45.057,  
17 Code of Criminal Procedure, in the amount of the ~~[Procedure) . . .]~~  
18 costs of the program, not to exceed \$100.

19           SECTION 4.20. Section 102.021, Government Code, is amended  
20 to read as follows:

21           Sec. 102.021. COURT COSTS ON CONVICTION: CODE OF CRIMINAL  
22 PROCEDURE. A person convicted of an offense shall pay ~~[the~~  
23 ~~following under the Code of Criminal Procedure]~~, in addition to all  
24 other costs and ~~[+~~

25           ~~[(1) court cost on conviction of any offense, other~~  
26 ~~than a conviction of an offense relating to a pedestrian or the~~  
27 ~~parking of a motor vehicle (Art. 102.0045, Code of Criminal~~

~~Procedure) . . . \$4,~~

~~[(2) a fee for services of prosecutor (Art. 102.008, Code of Criminal Procedure) . . . \$25,~~

~~[(3) fees for services of peace officer:~~

~~[(A) issuing a written notice to appear in court for certain violations (Art. 102.011, Code of Criminal Procedure) . . . \$5,~~

~~[(B) executing or processing an issued arrest warrant, capias, or capias pro fine (Art. 102.011, Code of Criminal Procedure) . . . \$50,~~

~~[(C) summoning a witness (Art. 102.011, Code of Criminal Procedure) . . . \$5,~~

~~[(D) serving a writ not otherwise listed (Art. 102.011, Code of Criminal Procedure) . . . \$35,~~

~~[(E) taking and approving a bond and, if necessary, returning the bond to courthouse (Art. 102.011, Code of Criminal Procedure) . . . \$10,~~

~~[(F) commitment or release (Art. 102.011, Code of Criminal Procedure) . . . \$5,~~

~~[(G) summoning a jury (Art. 102.011, Code of Criminal Procedure) . . . \$5,~~

~~[(H) attendance of a prisoner in habeas corpus case if prisoner has been remanded to custody or held to bail (Art. 102.011, Code of Criminal Procedure) . . . \$8 each day,~~

~~[(I) mileage for certain services performed (Art. 102.011, Code of Criminal Procedure) . . . \$0.29 per mile,~~

~~and~~



~~[(J) services of a sheriff or constable who serves process and attends examining trial in certain cases (Art. 102.011, Code of Criminal Procedure) . . . not to exceed \$5,~~

~~[(4) services of a peace officer in conveying a witness outside the county (Art. 102.011, Code of Criminal Procedure) . . . \$10 per day or part of a day, plus actual necessary travel expenses,~~

~~[(5) overtime of peace officer for time spent testifying in the trial or traveling to or from testifying in the trial (Art. 102.011, Code of Criminal Procedure) . . . actual cost,~~

~~[(6) court costs on an offense relating to rules of the road, when offense occurs within a school crossing zone (Art. 102.014, Code of Criminal Procedure) . . . \$25,~~

~~[(7) court costs on an offense of passing a school bus (Art. 102.014, Code of Criminal Procedure) . . . \$25,~~

~~[(8) court costs on an offense of parent contributing to student nonattendance (Art. 102.014, Code of Criminal Procedure) . . . \$20,~~

~~[(9) cost for visual recording of intoxication arrest before conviction (Art. 102.018, Code of Criminal Procedure) . . . \$15,~~

~~[(10) cost of certain evaluations (Art. 102.018, Code of Criminal Procedure) . . . actual cost,~~

~~[(11) additional costs attendant to certain intoxication convictions under Chapter 49, Penal Code, for emergency medical services, trauma facilities, and trauma care systems (Art. 102.0185, Code of Criminal Procedure) . . . \$100,~~

~~[(12) additional costs attendant to certain child sexual assault and related convictions, for child abuse prevention programs (Art. 102.0186, Code of Criminal Procedure) . . . \$100,~~

~~[(13) court cost for DNA testing for certain felonies (Art. 102.020(a)(1), Code of Criminal Procedure) . . . \$250,~~

~~[(14) court cost for DNA testing for certain misdemeanors and felonies (Art. 102.020(a)(2), Code of Criminal Procedure) . . . \$50,~~

~~[(15) court cost for DNA testing for certain felonies (Art. 102.020(a)(3), Code of Criminal Procedure) . . . \$34,~~

~~[(16) if required by the court, a restitution fee for costs incurred in collecting restitution installments and for the compensation to victims of crime fund (Art. 42.037, Code of Criminal Procedure) . . . \$12,~~

~~[(17)]~~ if directed by the justice of the peace or municipal court judge hearing the case, court costs on conviction in a criminal action under Article ~~[(Art.)~~ 45.041, Code of Criminal Procedure, in the amount of ~~[Procedure) . . .]~~ part or all of the costs as directed by the judge~~, and~~

~~[(18) costs attendant to convictions under Chapter 49, Penal Code, and under Chapter 481, Health and Safety Code, to help fund drug court programs established under Chapter 122, 123, 124, or 125, Government Code, or former law (Art. 102.0178, Code of Criminal Procedure) . . . \$60].~~

SECTION 4.21. Section 102.0212, Government Code, is amended to read as follows:

Sec. 102.0212. COURT COSTS ON CONVICTION: LOCAL GOVERNMENT

CODE. A person convicted of an offense shall pay the following under the Local Government Code, in addition to all other costs:

(1) court costs on conviction of a felony (Sec. 133.102, Local Government Code) . . . \$185 [~~\$133~~];

(2) court costs on conviction of a Class A or Class B misdemeanor (Sec. 133.102, Local Government Code) . . . \$147 [~~\$83~~];

(3) court costs on conviction of a nonjailable misdemeanor offense, including a criminal violation of a municipal ordinance, other than a conviction of an offense relating to a pedestrian or the parking of a motor vehicle (Sec. 133.102, Local Government Code) . . . \$62 [~~\$40~~];

(4) court costs on conviction of a felony (Sec. 134.101, Local Government Code) . . . \$105 [~~a time payment fee if convicted of a felony or misdemeanor for paying any part of a fine, court costs, or restitution on or after the 31st day after the date on which a judgment is entered assessing the fine, court costs, or restitution (Sec. 133.103, Local Government Code) . . . \$25~~];

(5) court costs on conviction of a Class A or Class B misdemeanor (Sec. 134.102, Local Government Code) . . . \$123 [~~a cost on conviction of any offense, other than an offense relating to a pedestrian or the parking of a motor vehicle (Sec. 133.105, Local Government Code) . . . \$6~~]; and

(6) court costs on conviction of a nonjailable misdemeanor offense, including a criminal violation of a municipal ordinance (Sec. 134.103, Local Government Code) . . . \$14 [~~a cost on conviction of any offense, other than an offense relating to a pedestrian or the parking of a motor vehicle (Sec. 133.107, Local~~

~~Government Code) . . . \$2].~~

SECTION 4.22. Section 103.021, Government Code, is amended to read as follows:

Sec. 103.021. ADDITIONAL FEES AND COSTS IN CRIMINAL OR CIVIL CASES: CODE OF CRIMINAL PROCEDURE. An accused or defendant, or a party to a civil suit, as applicable, shall pay the following fees and costs under the Code of Criminal Procedure if ordered by the court or otherwise required:

(1) ~~[a personal bond fee (Art. 17.42, Code of Criminal Procedure) . . . the greater of \$20 or three percent of the amount of the bail fixed for the accused,~~

~~[(2) cost of electronic monitoring as a condition of release on personal bond (Art. 17.43, Code of Criminal Procedure) . . . actual cost,~~

~~[(3) a fee for verification of and monitoring of motor vehicle ignition interlock (Art. 17.441, Code of Criminal Procedure) . . . not to exceed \$10,~~

~~[(3-a) costs associated with operating a global positioning monitoring system as a condition of release on bond (Art. 17.49(b)(2), Code of Criminal Procedure) . . . actual costs, subject to a determination of indigency,~~

~~[(3-b) costs associated with providing a defendant's victim with an electronic receptor device as a condition of the defendant's release on bond (Art. 17.49(b)(3), Code of Criminal Procedure) . . . actual costs, subject to a determination of indigency,~~

~~[(4) repayment of reward paid by a crime stoppers~~

~~organization on conviction of a felony (Art. 37.073, Code of Criminal Procedure) . . . amount ordered,~~

~~[(5) reimbursement to general revenue fund for payments made to victim of an offense as condition of community supervision (Art. 42A.301(17), Code of Criminal Procedure) . . . not to exceed \$50 for a misdemeanor offense or \$100 for a felony offense,~~

~~[(6) payment to a crime stoppers organization as condition of community supervision (Art. 42A.301(20), Code of Criminal Procedure) . . . not to exceed \$50,~~

~~[(7) children's advocacy center fee (Art. 42A.455, Code of Criminal Procedure) . . . not to exceed \$50,~~

~~[(8) family violence center fee (Art. 42A.504(b), Code of Criminal Procedure) . . . \$100,~~

~~[(9) community supervision fee (Art. 42A.652(a), Code of Criminal Procedure) . . . not less than \$25 or more than \$60 per month,~~

~~[(10) additional community supervision fee for certain offenses (Art. 42A.653(a), Code of Criminal Procedure) . . . \$5 per month,~~

~~[(11) for certain financially able sex offenders as a condition of community supervision, the costs of treatment, specialized supervision, or rehabilitation (Art. 42A.452, Code of Criminal Procedure) . . . all or part of the reasonable and necessary costs of the treatment, supervision, or rehabilitation as determined by the judge,~~

~~[(12) fee for failure to appear for trial in a justice~~

~~or municipal court if a jury trial is not waived (Art. 45.026, Code of Criminal Procedure) . . . costs incurred for impaneling the jury;~~

~~[(13) costs of certain testing, assessments, or programs during a deferral period (Art. 45.051, Code of Criminal Procedure) . . . amount ordered;~~

~~[(14) special expense on dismissal of certain misdemeanor complaints (Art. 45.051, Code of Criminal Procedure) . . . not to exceed amount of fine assessed;~~

~~[(15) an additional fee;~~

~~[(A) for a copy of the defendant's driving record to be requested from the Department of Public Safety by the judge (Art. 45.0511(c-1), Code of Criminal Procedure) . . . amount equal to the sum of the fee established by Section 521.048, Transportation Code, and the state electronic Internet portal fee;~~

~~[(B) as an administrative fee for requesting a driving safety course or a course under the motorcycle operator training and safety program for certain traffic offenses to cover the cost of administering the article (Art. 45.0511(f)(1), Code of Criminal Procedure) . . . not to exceed \$10; or~~

~~[(C) for requesting a driving safety course or a course under the motorcycle operator training and safety program before the final disposition of the case (Art. 45.0511(f)(2), Code of Criminal Procedure) . . . not to exceed the maximum amount of the fine for the offense committed by the defendant;~~

~~[(16) a request fee for teen court program (Art. 45.052, Code of Criminal Procedure) . . . \$20, if the court~~

~~ordering the fee is located in the Texas-Louisiana border region,  
but otherwise not to exceed \$10;~~

~~[(17) a fee to cover costs of required duties of teen  
court (Art. 45.052, Code of Criminal Procedure) . . . \$20, if the  
court ordering the fee is located in the Texas-Louisiana border  
region, but otherwise \$10;~~

~~[(18) a mileage fee for officer performing certain  
services (Art. 102.001, Code of Criminal Procedure) . . . \$0.15 per  
mile;~~

~~[(19)] certified mailing of notice of hearing date  
(Art. 102.006, Code of Criminal Procedure) . . . \$1, plus postage;~~

~~(2) [(20)] certified mailing of certified copies of an  
order of expunction (Art. 102.006, Code of Criminal Procedure)  
. . . \$2, plus postage;~~

~~(3) [(20-a) a fee to defray the cost of notifying  
state agencies of orders of expungement (Art. 45.0216, Code of  
Criminal Procedure) . . . \$30 per application;~~

~~[(21) sight orders.~~

~~[(A) if the face amount of the check or sight  
order does not exceed \$10 (Art. 102.007, Code of Criminal  
Procedure) . . . not to exceed \$10;~~

~~[(B) if the face amount of the check or sight  
order is greater than \$10 but does not exceed \$100 (Art. 102.007,  
Code of Criminal Procedure) . . . not to exceed \$15;~~

~~[(C) if the face amount of the check or sight  
order is greater than \$100 but does not exceed \$300 (Art. 102.007,  
Code of Criminal Procedure) . . . not to exceed \$30;~~

~~[(D) if the face amount of the check or sight order is greater than \$300 but does not exceed \$500 (Art. 102.007, Code of Criminal Procedure) . . . not to exceed \$50; and~~

~~[(E) if the face amount of the check or sight order is greater than \$500 (Art. 102.007, Code of Criminal Procedure) . . . not to exceed \$75;~~

~~[(22) fees for a pretrial intervention program:~~

~~[(A) a supervision fee (Art. 102.012(a), Code of Criminal Procedure) . . . \$60 a month plus expenses; and~~

~~[(B) a district attorney, criminal district attorney, or county attorney administrative fee (Art. 102.0121, Code of Criminal Procedure) . . . not to exceed \$500;~~

~~[(23) parking fee violations for child safety fund in municipalities with populations:~~

~~[(A) greater than 850,000 (Art. 102.014, Code of Criminal Procedure) . . . not less than \$2 and not to exceed \$5; and~~

~~[(B) less than 850,000 (Art. 102.014, Code of Criminal Procedure) . . . not to exceed \$5;~~

~~[(24)]~~ an administrative fee for collection of fines, fees, restitution, or other costs (Art. 102.072, Code of Criminal Procedure) . . . not to exceed \$2 for each transaction; and

(4) ~~[(25)]~~ a collection fee, if authorized by the commissioners court of a county or the governing body of a municipality, for certain debts and accounts receivable, including unpaid fines, fees, court costs, forfeited bonds, and restitution ordered paid (Art. 103.0031, Code of Criminal Procedure) . . . 30 percent of an amount more than 60 days past due~~;~~ and



~~[(26) a cost on conviction for the truancy prevention and diversion fund (Art. 102.015, Code of Criminal Procedure) . . . \$2].~~

SECTION 4.23. Section 103.0211, Government Code, is amended to read as follows:

Sec. 103.0211. ADDITIONAL FEES AND COSTS IN CRIMINAL OR CIVIL CASES: GOVERNMENT CODE. An accused or defendant, or a party to a civil suit, as applicable, shall pay the following fees and costs under the Government Code if ordered by the court or otherwise required:

- (1) a court reporter fee when testimony is taken~~[-~~
  - ~~[(A) in a criminal court in Dallas County (Sec. 25.0593, Government Code) . . . \$3,~~
  - ~~[(B) in a county criminal court of appeals in Dallas County (Sec. 25.0594, Government Code) . . . \$3,~~
  - ~~[(C)] in a civil case in a county court at law in McLennan County (Sec. 25.1572, Government Code) . . . \$3; [and~~
  - ~~[(D) in a county criminal court in Tarrant County (Sec. 25.2223, Government Code) . . . \$3.]~~

- (2) a court reporter service fee if the courts have official court reporters (Sec. 51.601, Government Code) . . . \$15 or, in specified counties, \$30;

- ~~[(3) a speedy trial rights waiver motion filing fee in El Paso County (Sec. 54.745, Government Code) . . . \$100,~~

- ~~[(4) the costs of a criminal magistrate if the court determines that the nonprevailing party is able to defray the costs.~~

~~[(A) in Bexar County (Sec. 54.913, Government Code) . . . magistrate's fees;~~

~~[(B) in Dallas County (Sec. 54.313, Government Code) . . . magistrate's fees;~~

~~[(C) in Lubbock County (Sec. 54.883, Government Code) . . . magistrate's fees;~~

~~[(D) in Tarrant County (Sec. 54.663, Government Code) . . . magistrate's fees; and~~

~~[(E) in Travis County (Sec. 54.983, Government Code) . . . magistrate's fees;~~

~~[(5) an administrative fee for participation in certain community supervision programs (Sec. 76.015, Government Code) . . . not less than \$25 and not more than \$60 per month;] and~~

(3) ~~[(6)]~~ fee paid on filing a petition for an order of nondisclosure of criminal history record information in certain cases (Secs. [411.072](#) and [411.0745](#), Government Code) . . . \$28.

SECTION 4.24. Section [103.0212](#), Government Code, is amended to read as follows:

Sec. 103.0212. ADDITIONAL FEES AND COSTS IN CRIMINAL OR CIVIL CASES: FAMILY CODE. An accused or defendant, or a party to a civil suit, as applicable, shall pay the following fees and costs under the Family Code if ordered by the court or otherwise required:

(1) in family matters:

(A) issuing writ of withholding (Sec. 8.262, Family Code) . . . \$15;

(B) filing copy of writ of withholding to subsequent employer (Sec. 8.267, Family Code) . . . \$15;

1 (C) issuing and delivering modified writ of  
2 withholding or notice of termination (Sec. 8.302, Family Code)  
3 . . . \$15;

4 (D) issuing and delivering notice of termination  
5 of withholding (Sec. 8.303, Family Code) . . . \$15;

6 (E) issuance of change of name certificate  
7 (Sec. 45.106, Family Code) . . . \$10;

8 (F) protective order fee (Sec. 81.003, Family  
9 Code) . . . \$16;

10 (G) filing suit requesting adoption of child  
11 (Sec. 108.006, Family Code) . . . \$15;

12 (H) filing fees for suits affecting parent-child  
13 relationship (Sec. 110.002, Family Code):

14 (i) suit or motion for modification  
15 (Sec. 110.002, Family Code) . . . \$15;

16 (ii) motion for enforcement (Sec. 110.002,  
17 Family Code) . . . \$15;

18 (iii) notice of application for judicial  
19 writ of withholding (Sec. 110.002, Family Code) . . . \$15;

20 (iv) motion to transfer (Sec. 110.002,  
21 Family Code) . . . \$15;

22 (v) petition for license suspension  
23 (Sec. 110.002, Family Code) . . . \$15;

24 (vi) motion to revoke a stay of license  
25 suspension (Sec. 110.002, Family Code) . . . \$15; and

26 (vii) motion for contempt (Sec. 110.002,  
27 Family Code) . . . \$15;

1 (I) order or writ of income withholding to be  
2 delivered to employer (Sec. 110.004, Family Code) . . . not to  
3 exceed \$15;

4 (J) filing fee for transferred case  
5 (Sec. 110.005, Family Code) . . . \$45;

6 (K) filing a writ of withholding (Sec. 158.319,  
7 Family Code) . . . \$15;

8 (L) filing a request for modified writ of  
9 withholding or notice of termination (Sec. 158.403, Family Code)  
10 . . . not to exceed \$15;

11 (M) filing an administrative writ to employer  
12 (Sec. 158.503, Family Code) . . . not to exceed \$15; and

13 (N) genetic testing fees in relation to a child  
14 born to a gestational mother (Sec. 160.762, Family Code) . . . as  
15 assessed by the court; and

16 (2) in juvenile court:

17 (A) fee schedule for deferred prosecution  
18 services (Sec. 53.03, Family Code) . . . maximum fee of \$15 a  
19 month;

20 (B) ~~[a request fee for a teen court program~~  
21 ~~(Sec. 54.032, Family Code) . . . \$20, if the court ordering the fee~~  
22 ~~is located in the Texas-Louisiana border region, but otherwise not~~  
23 ~~to exceed \$10;~~

24 ~~[(C)]~~ court costs for juvenile probation  
25 diversion fund (Sec. 54.0411, Family Code) . . . \$20;

26 (C) ~~[(D)]~~ a juvenile delinquency prevention fee  
27 (Sec. 54.0461, Family Code) . . . \$50;

(D) ~~[(E)]~~ a court fee for child's probationary period (Sec. 54.061, Family Code) . . . not to exceed \$15 a month;

~~(E) [(F)] a fee to cover costs of required duties of teen court (Sec. 54.032, Family Code) . . . \$20, if the court ordering the fee is located in the Texas-Louisiana border region, but otherwise not to exceed \$10;~~

~~[(G)]~~ a fee for DNA testing on commitment to certain facilities (Sec. 54.0462, Family Code) . . . \$50;

(F) ~~[(H)]~~ a fee for DNA testing after placement on probation or as otherwise required by law (Sec. 54.0462, Family Code) . . . \$34;

(G) ~~[(I)]~~ a program fee for a teen dating violence court program (Sec. 54.0325, Family Code) . . . \$10; and

(H) ~~[(J)]~~ a fee to cover the cost to the court of administering a teen dating violence court program (Sec. 54.0325, Family Code) . . . not to exceed \$10.

SECTION 4.25. Section 103.0213, Government Code, is amended to read as follows:

Sec. 103.0213. ADDITIONAL FEES AND COSTS IN CRIMINAL OR CIVIL CASES: TRANSPORTATION CODE. An accused or defendant, or a party to a civil suit, as applicable, shall pay an ~~the following fees and costs under the Transportation Code if ordered by the court or otherwise required.~~

~~[(1)] administrative fee on dismissal of charge of driving with an expired motor vehicle registration (Sec. 502.407, Transportation Code) . . . not to exceed \$20;~~

~~[(2)] administrative fee on dismissal of charge of~~

~~driving with an expired driver's license (Sec. 521.026, Transportation Code) . . . not to exceed \$20,~~

~~[(2-a) administrative fee on remediation of charge of operation of a vehicle without a registration insignia (Sec. 502.473, Transportation Code) . . . not to exceed \$10,~~

~~[(3) administrative fee on remediation of charge of operating a vehicle without complying with inspection requirements as certified (Sec. 548.605, Transportation Code) . . . not to exceed \$20,~~

~~[(4) administrative fee for failure to appear for a complaint or citation on certain offenses (Sec. 706.006, Transportation Code) . . . \$30 for each violation,~~

~~[(5) administrative fee for failure to pay or satisfy certain judgments (Sec. 706.006, Transportation Code) . . . \$30,~~  
~~and~~

~~[(6)]~~ administrative fee on dismissal of charge of driving a commercial motor vehicle without a commercial driver's license or commercial learner's permit (Sec. 522.011, Transportation Code) . . . not to exceed \$10.

SECTION 4.26. Section 103.0214, Government Code, is amended to read as follows:

Sec. 103.0214. ADDITIONAL FEES AND COSTS IN CRIMINAL OR CIVIL CASES: HEALTH AND SAFETY CODE. An accused or defendant, or a party to a civil suit, as applicable, shall pay the following court ~~[fees and]~~ costs under the Health and Safety Code if ordered by the court or otherwise required[+]

~~[(1) a fee to defray the cost of notifying state~~

~~agencies of orders of expungement (Sec. 161.255, Health and Safety Code) . . . \$30 per application; and~~

~~(2)~~ on a finding that an animal's owner has cruelly treated the animal, ~~[court costs]~~ including:

(1) ~~(A)~~ investigation (Sec. 821.023, Health and Safety Code) . . . actual costs;

(2) ~~(B)~~ expert witnesses (Sec. 821.023, Health and Safety Code) . . . actual costs;

(3) ~~(C)~~ housing and caring for the animal during its impoundment (Sec. 821.023, Health and Safety Code) . . . actual costs;

(4) ~~(D)~~ conducting any public sale ordered by the court (Sec. 821.023, Health and Safety Code) . . . actual costs; and

(5) ~~(E)~~ humanely destroying the animal if destruction is ordered by the court (Sec. 821.023, Health and Safety Code) . . . actual costs.

SECTION 4.27. Section 103.024, Government Code, is amended to read as follows:

Sec. 103.024. MISCELLANEOUS FEES AND COSTS: CODE OF CRIMINAL PROCEDURE. Fees and costs shall be paid or collected under the Code of Criminal Procedure as follows:

(1) filing of a restitution lien (Art. 42.22, Code of Criminal Procedure) . . . \$5; and

~~(2) [issuance and service of a warrant of arrest for certain offenses if prescribed by the municipality (Art. 45.203, Code of Criminal Procedure) . . . not to exceed \$25; and~~

1           ~~[(3)]~~ a fee for each agency or organization designated  
2 by a registered sex offender for receipt of a copy of an order  
3 making the registration nonpublic (Art. ~~[Sec.]~~ 62.353, Code of  
4 Criminal Procedure) . . . \$20.

5           SECTION 4.28. Section 103.027(a), Government Code, as  
6 effective September 1, 2019, is amended to read as follows:

7           (a) Fees and costs shall be paid or collected under the  
8 Government Code as follows:

9           (1) filing a certified copy of a judicial finding of  
10 fact and conclusion of law if charged by the secretary of state  
11 (Sec. 51.905, Government Code) . . . \$15;

12           (2) ~~[cost paid by each surety posting the bail bond for~~  
13 ~~an offense other than a misdemeanor punishable by fine only under~~  
14 ~~Chapter 17, Code of Criminal Procedure, for the assistant~~  
15 ~~prosecutor supplement fund and the fair defense account (Sec.~~  
16 ~~41.258, Government Code) . . . \$15, provided the cost does not~~  
17 ~~exceed \$30 for all bail bonds posted at that time for an individual~~  
18 ~~and the cost is not required on the posting of a personal or cash~~  
19 ~~bond,~~

20           ~~[(3)]~~ to participate in a court proceeding in this  
21 state, a nonresident attorney fee (Sec. 82.0361, Government Code)  
22 . . . \$250 except as waived or reduced under supreme court rules for  
23 representing an indigent person;

24           (3) ~~[(4)]~~ on a party's appeal of a final decision in a  
25 contested case, the cost of preparing the original or a certified  
26 copy of the record of the agency proceeding, if required by the  
27 agency's rule, as a court cost (Sec. 2001.177, Government Code)



. . . as assessed by the court, all or part of the cost of preparation[~~+~~

~~[(5) a program fee for a drug court program (Sec. 123.004, Government Code) . . . not to exceed \$1,000,~~

~~[(6) an alcohol or controlled substance testing, counseling, and treatment fee (Sec. 123.004, Government Code) . . . the amount necessary to cover the costs of testing, counseling, and treatment,~~

~~[(7) a reasonable program fee for a veterans treatment court program (Sec. 124.005, Government Code) . . . not to exceed \$1,000,~~

~~[(8) a testing, counseling, and treatment fee for testing, counseling, or treatment performed or provided under a veterans treatment court program (Sec. 124.005, Government Code) . . . the amount necessary to cover the costs of testing, counseling, or treatment,~~

~~[(9) a nonrefundable program fee for a commercially sexually exploited persons court program (Sec. 126.006, Government Code) . . . a reasonable amount not to exceed \$1,000, which must include a counseling and services fee in an amount necessary to cover the costs of counseling and services provided by the program, a victim services fee in an amount equal to 10 percent of the total fee, and a law enforcement training fee in an amount equal to five percent of the total fee]; and~~

(4) ~~[(10)]~~ a district court records archive fee for the filing of a suit, including an appeal from an inferior court, or a cross-action, counterclaim, intervention, contempt action,

1 motion for new trial, or third-party petition, in any court in the  
2 county for which the district clerk accepts filings, if authorized  
3 by the county commissioners court (Sec. 51.305, Government Code)  
4 . . . not more than \$5.

5 SECTION 4.29. Section 103.0292, Government Code, is amended  
6 to read as follows:

7 Sec. 103.0292. ADDITIONAL MISCELLANEOUS FEES [~~AND COSTS~~]:  
8 HEALTH AND SAFETY CODE. A nonrefundable reimbursement [~~program~~]  
9 fee for a first offender prostitution prevention program  
10 established under Section 169.002, Health and Safety Code, shall be  
11 collected under Section 169.005, Health and Safety Code, in a  
12 reasonable amount not to exceed \$1,000, which includes:

13 (1) a counseling and services reimbursement fee in an  
14 amount necessary to cover the costs of counseling and services  
15 provided by the program; and

16 (2) [~~a victim services fee in an amount equal to 10~~  
17 ~~percent of the total fee; and~~

18 [~~(3)~~] a law enforcement training reimbursement fee in  
19 an amount equal to five percent of the total fee.

20 SECTION 4.30. Section 103.030, Government Code, is amended  
21 to read as follows:

22 Sec. 103.030. MISCELLANEOUS FEES AND COSTS: LOCAL  
23 GOVERNMENT CODE. Fees and costs shall be paid or collected under  
24 the Local Government Code as follows:

25 (1) services by the offices of the sheriff and  
26 constables (Sec. 118.131, Local Government Code) . . . amount set  
27 by county commissioners court;

(2) a filing fee or recording fee for each page of a legal paper presented for filing or recording that fails to meet certain requirements regarding paper size, weight, substance, headings, legibility, the presence of typed or printed names under each signature, and number and size of riders or attachments (Sec. 191.007, Local Government Code) . . . twice the regular filing fee or recording fee provided by statute for that page, rider, or attachment;

~~[(3) a processing fee as authorized by the commissioners court for the payment by credit card of a fee, court cost, or other charge processed by a county or precinct officer (Secs. 132.002 and 132.003, Local Government Code) . . . an amount reasonably related to the expense incurred by the county or precinct officer but not to exceed five percent of the amount of the fee, court cost, or other charge being paid;~~

~~[(4) a processing fee as authorized by the governing body of the municipality for the payment by credit card of a fee, court cost, or other charge processed by a municipal official (Secs. 132.002 and 132.003, Local Government Code) . . . an amount reasonably related to the expense incurred by the municipal official but not to exceed five percent of the amount of the fee, court cost, or other charge being paid;~~

~~[(5) a handling fee, if authorized by the commissioners court under Section 132.002, Local Government Code, for electronically processing the payment of a fee, fine, court cost, or other charge (Secs. 132.002 and 132.003, Local Government Code);~~

~~[(A) charged at a flat rate that does not exceed \$5 for each payment transaction; or~~

~~[(B) charged at a rate reasonably related to the expense incurred in processing a payment and that does not exceed five percent of the amount of the fee, court cost, or other charge being paid;~~

~~[(6) a fee, if authorized by the commissioners court, collected by a county or precinct officer on behalf of the county from a person making payment by credit card of a fee, court cost, or other charge (Sec. 132.003, Local Government Code) . . . an amount equal to the amount of any transaction fee charged to the county by a vendor providing services in connection with payments made by credit card;] and~~

(3) ~~[(7)]~~ a records technology and infrastructure fee, if authorized by the commissioners court of the county (Secs. [118.026](#), [118.069](#), and [118.102](#), Local Government Code) . . . \$2.00.

SECTION 4.31. Section [123.006\(c\)](#), Government Code, is amended to read as follows:

(c) Notwithstanding Subsection (a), a county is required to establish a drug court program under this section only if:

(1) the county receives federal or state funding~~[including funding under Article [102.0178](#), Code of Criminal Procedure]~~ specifically for that purpose; and

(2) the judge, magistrate, or coordinator receives the verification described by Section [121.002\(c\)\(2\)](#).

SECTION 4.32. Section [411.145\(c\)](#), Government Code, is amended to read as follows:

1           (c) A fee collected under this section shall be deposited in  
2 the state treasury to the credit of the state highway fund, and  
3 money deposited to the state highway fund under this section and  
4 under Chapter 42A [~~and Article 102.020(h)~~], Code of Criminal  
5 Procedure, may be used only to defray the cost of administering this  
6 subchapter.

7           SECTION 4.33. Section 420.008(b), Government Code, is  
8 amended to read as follows:

9           (b) The fund consists of fees and fines collected under:  
10           (1) Article 42A.653(a), Code of Criminal Procedure;  
11           (2) Section 508.189, Government Code; and  
12           (3) Subchapter B, Chapter 102, Business & Commerce  
13 Code, and deposited under Section 102.054.

14           SECTION 4.34. Section 133.055(b), Local Government Code, is  
15 amended to read as follows:

16           (b) If the treasurer does not collect any fees during a  
17 calendar quarter, the treasurer shall file the report required for  
18 the quarter in the regular manner. The report must state that no  
19 fees were collected. This subsection does not apply to fees or  
20 fines collected under Article 42A.303 [~~or 42A.653~~], Code of  
21 Criminal Procedure, or under Section 76.013, Government Code.

22           SECTION 4.35. Section 133.058(d), Local Government Code, is  
23 amended to read as follows:

24           (d) A county may not retain a service fee on the collection  
25 of a fee or fine:

26           (1) for the judicial fund;  
27           (2) under Article 42A.303 or 42A.653, Code of Criminal

1 Procedure;

2 (3) under Section 51.851, Government Code; or

3 (4) under Section 51.971, Government Code.

4 SECTION 4.36. Section 203.003, Local Government Code, is  
5 amended to read as follows:

6 Sec. 203.003. DUTIES OF COMMISSIONERS COURT. The  
7 commissioners court of each county shall:

8 (1) promote and support the efficient and economical  
9 management of records of all elective offices in the county to  
10 enable elected county officers to conform to this subtitle and  
11 rules adopted under it;

12 (2) facilitate the creation and maintenance of records  
13 containing adequate and proper documentation of the organization,  
14 functions, policies, decisions, procedures, and essential  
15 transactions of each elective office and designed to furnish the  
16 information necessary to protect the legal and financial rights of  
17 the local government, the state, and the persons affected by the  
18 activities of the local government;

19 (3) facilitate the identification and preservation of  
20 the records of elective offices that are of permanent value;

21 (4) facilitate the identification and protection of  
22 the essential records of elective offices;

23 (5) establish a county clerk records management and  
24 preservation fund for fees subject to Section 118.0216 and approve  
25 in advance any expenditures from the fund; and

26 (6) establish a records management and preservation  
27 fund for the records management and preservation fees authorized

1 under Sections 118.052, 118.0546, and 118.0645, and Section 51.317,  
2 Government Code, [~~and Article 102.005(d), Code of Criminal~~  
3 ~~Procedure,~~] and approve in advance any expenditures from the fund,  
4 which may be spent only for records management preservation or  
5 automation purposes in the county.

6 SECTION 4.37. Section 12.110(d), Parks and Wildlife Code,  
7 is amended to read as follows:

8 (d) The department may sell confiscated live game described  
9 by Subsection (a) to the highest of three bidders. At the time of a  
10 sale under this subsection, the department shall provide the buyer  
11 a receipt for all game sold to the buyer. The department shall  
12 deposit the proceeds of the sale in the state treasury to the credit  
13 of the appropriate suspense fund pending the outcome of any action  
14 against the person charged with an unlawful action described by  
15 Subsection (a). [~~If that person is found guilty, pleads guilty or~~  
16 ~~nolo contendere, is placed on deferred adjudication, or fails to~~  
17 ~~appear in accordance with a notice described by Section 12.106 or~~  
18 ~~another law requiring that, as a condition of release, the~~  
19 ~~defendant subsequently appear before a court to answer for the~~  
20 ~~offense, the department shall transfer the proceeds of the sale to~~  
21 ~~the credit of the game, fish, and water safety account.] If the  
22 person is acquitted by the trial court, the charges against the  
23 person are dismissed, or the statute of limitations period for the  
24 prosecution of the offense has expired, the department shall pay  
25 the proceeds of the sale to the person from whom the game was  
26 seized.~~

27 SECTION 4.38. Sections 542.402(b), (b-2), (d), and (d-1),

Transportation Code, are amended to read as follows:

(b) In each fiscal year, a municipality having a population of less than 5,000 may retain, from fines collected for violations of this title and fines ~~[from special expenses]~~ collected under Article 45.051(a) ~~[45.051]~~, Code of Criminal Procedure, in cases in which a violation of this title is alleged, an amount equal to 30 percent of the municipality's revenue for the preceding fiscal year from all sources, other than federal funds and bond proceeds, as shown by the audit performed under Section 103.001, Local Government Code. After a municipality has retained that amount, the municipality shall send to the comptroller any portion of a fine ~~[or a special expense]~~ collected that exceeds \$1.

(b-2) In each fiscal year, a county described by Subsection (b-1) may retain, from fines collected for violations of this title and from fines ~~[special expenses]~~ collected under Article 45.051(a) ~~[45.051]~~, Code of Criminal Procedure, in cases in which a violation of this title is alleged, an amount equal to 30 percent of the county's revenue for the preceding fiscal year from all sources, other than federal funds and bond proceeds, as shown by an audit performed under Chapter 115, Local Government Code. After a county has retained that amount, the county shall send to the comptroller any portion of a fine ~~[or a special expense]~~ collected that exceeds \$1.

(d) In a fiscal year in which a municipality retains from fines and special expenses collected for violations of this title an amount equal to at least 20 percent of the municipality's revenue for the preceding fiscal year from all sources other than federal



1 funds and bond proceeds, not later than the 120th day after the last  
2 day of the municipality's fiscal year, the municipality shall send  
3 to the comptroller:

4 (1) a copy of the municipality's financial statement  
5 for that fiscal year filed under Chapter 103, Local Government  
6 Code; and

7 (2) a report that shows the total amount collected for  
8 that fiscal year from fines [~~and special expenses~~] under Subsection  
9 (b).

10 (d-1) In a fiscal year in which a county retains from fines  
11 and special expenses collected for violations of this title an  
12 amount equal to at least 20 percent of the county's revenue for the  
13 preceding fiscal year from all sources other than federal funds and  
14 bond proceeds, not later than the 120th day after the last day of  
15 the county's fiscal year, the county shall send to the comptroller:

16 (1) a copy of the county's financial statement; and

17 (2) a report that shows the total amount collected for  
18 that fiscal year from fines [~~and special expenses~~] under Subsection  
19 (b-1).

20 SECTION 4.39. Section 706.005(a), Transportation Code, is  
21 amended to read as follows:

22 (a) A political subdivision shall immediately notify the  
23 department that there is no cause to continue to deny renewal of a  
24 person's driver's license based on the person's previous failure to  
25 appear or failure to pay or satisfy a judgment ordering the payment  
26 of a fine and cost in the manner ordered by the court in a matter  
27 involving an offense described by Section 706.002(a), on payment of

1 a reimbursement fee as provided by Section 706.006 and:

2 (1) the perfection of an appeal of the case for which  
3 the warrant of arrest was issued or judgment arose;

4 (2) the dismissal of the charge for which the warrant  
5 of arrest was issued or judgment arose, other than a dismissal with  
6 prejudice by motion of the appropriate prosecuting attorney for  
7 lack of evidence;

8 (3) the posting of bond or the giving of other security  
9 to reinstate the charge for which the warrant was issued;

10 (4) the payment or discharge of the fine and cost owed  
11 on an outstanding judgment of the court; or

12 (5) other suitable arrangement to pay the fine and  
13 cost within the court's discretion.

14 SECTION 4.40. The following provisions are repealed:

15 (1) Articles 102.001(f) and (h), Code of Criminal  
16 Procedure;

17 (2) Article 102.0071, Code of Criminal Procedure;

18 (3) Article 102.022, Code of Criminal Procedure;

19 (4) Sections 202.005(c) and (d), Family Code;

20 (5) Section 30.00014(f), Government Code;

21 (6) Sections 30.00147(b) and (g), Government Code;

22 (7) Section 54.313, Government Code;

23 (8) Section 54.663, Government Code;

24 (9) Sections 54.745(b) and (c), Government Code;

25 (10) Section 54.883, Government Code;

26 (11) Section 54.913, Government Code;

27 (12) Section 54.983, Government Code;

- 1 (13) Section 101.0813, Government Code;
- 2 (14) Section 102.0211, Government Code;
- 3 (15) Section 102.0213, Government Code;
- 4 (16) Section 102.0214, Government Code;
- 5 (17) Section 102.041, Government Code;
- 6 (18) Section 102.0415, Government Code;
- 7 (19) Section 102.042, Government Code;
- 8 (20) Section 102.061, Government Code;
- 9 (21) Section 102.0615, Government Code;
- 10 (22) Section 102.062, Government Code;
- 11 (23) Section 102.081, Government Code;
- 12 (24) Section 102.082, Government Code;
- 13 (25) Section 102.101, Government Code;
- 14 (26) Section 102.103, Government Code;
- 15 (27) Section 102.121, Government Code;
- 16 (28) Section 102.142, Government Code;
- 17 (29) Section 123.003(b), Government Code;
- 18 (30) Section 124.004(b), Government Code;
- 19 (31) Section 129.005(b), Government Code;
- 20 (32) Section 152.0522, Human Resources Code;
- 21 (33) Sections 133.103(b) and (d), Local Government
- 22 Code; and
- 23 (34) Section 12.110(b), Parks and Wildlife Code.

ARTICLE 5. TRANSITION AND EFFECTIVE DATE

SECTION 5.01. Except as otherwise provided by this Act, the changes in law made by this Act apply only to a cost, fee, or fine on conviction for an offense committed on or after the effective date

1 of this Act. An offense committed before the effective date of this  
2 Act is governed by the law in effect on the date the offense was  
3 committed, and the former law is continued in effect for that  
4 purpose. For purposes of this section, an offense was committed  
5 before the effective date of this Act if any element of the offense  
6 occurred before that date.

7       SECTION 5.02. Article [45.051\(a-1\)](#), Code of Criminal  
8 Procedure, as reenacted and amended by this Act, applies to a  
9 sentencing proceeding that commences before, on, or after the  
10 effective date of this Act.

11       SECTION 5.03. To the extent of any conflict, this Act  
12 prevails over another Act of the 86th Legislature, Regular Session,  
13 2019, relating to nonsubstantive additions to and corrections in  
14 enacted codes.

15       SECTION 5.04. This Act takes effect January 1, 2020.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 346 passed the Senate on April 17, 2019, by the following vote: Yeas 30, Nays 1; and that the Senate concurred in House amendments on May 23, 2019, by the following vote: Yeas 30, Nays 1.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 346 passed the House, with amendments, on May 21, 2019, by the following vote: Yeas 145, Nays 1, one present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor